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DOCUMENTS FROM THE OFFICE OF THE CLERK OF THE SUPREME COURT
TERRITORY OF OKLAHOMA

* *

JOURNAL OF THE SUPREME COURT OF THE TERRITORY OF OKLAHOMA, VOLUME 2, SEPTEMBER 7, 1895 - NOVEMBER 2, 1896.

* * * * * * * * * * * *

COVER TITLE: RECORD, SUPREME COURT, TERRITORY OF OKLAHOMA.

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Frances C. Woodruff appellant
331 vs
Willie N. Wallace) appellee

Be it Remembered that on
this the seventh day of September A.D. 1895
the above date being one of the regular
judicial days of the June term of the Supreme
Court. The above cause coming on on
for decision upon a petition for rehearing and
herein, and the Court being fully advised
in the premises, It is therefore held ordered
and adjudged that the said petition be
and the same is, in all things denied
with costs. to which ruling atty for appellee duly excepts.

Justices Bruce and McAfee dissenting

'It is further ordered by the Court that
sixty days time be given appellee in
which to perfect an appeal from the
above decision to the Supreme Court of
the United States - and the supersedeas-
bond is fixed in the sum of
One thousand ($1000.00) Dollars, Scott J. not sitting
having presided as trial judge.

Meschack Carrell appellant
217 vs
Edward Orrell appellee

The above cause having
come on for decision upon a motion
for rehearing and the Court being
fully advised in the premises.
It is therefore held ordered and adjud-ed
that the said motion be and the
same is in all things denied
with costs.

Scott J. not sitting having
presided as trial judge.

174 Coyle and Ennis Appellants
vs
Joseph Barnes Appellees

The above cause having come on at this time for decision upon a petition for rehearing and review and this Court being fully advised in the premises. It is therefore considered ordered and adjudged that the said petition be and the same is in all things denied with costs.
Dale C.J. dissenting presided as trial Judge and Biere J. dissenting Beers of Counsel not sitting.

Luther Bailey Leader
332 vs
Ewen D. Cameron Auditor &c.

The above cause having come on at this time for decision upon an application for a writ of Mandamus. And the Court being fully advised in the premises. It is therefore held ordered and adjudged that the said application for Mandamus be and the same is hereby allowed with Costs and that said writ be issued Opinion by Sharpe J. All the Justices Concurring.

Ray V. Hoffman
739 vs
Board of County Commissioners of Payne County.

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore held ordered and adjudged that the judgment of the Lower Court be and the same is in all things affirmed with costs.

Opinion by Scott J.
Burford J. dissents.
McAtee J. concurs fully
Bierer J. having presided as trial judge not sitting.
Dale C.J. concurs in conclusion affirming the judgment but does not agree that a debt exceeding 4 per cent interest contracted prior to the first amendment of that time so long as section seven of the act of 1886 is in force.

3rd

The United States of America
Ex Rel Wm. A. Leverich et al Appellant
vs
The Choctaw Okla & Gulf R R Co Appellee

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower court be and the same is in all things affirmed with costs.
Opinion by McAtee J. All the justices concurring except Scott J not sitting having presided as trial judge. Exceptions to decision taken by Counsel for Appellants. And sixty days time given to perfect appeal to Supreme Court of the United States.

In Re:
Williams Treasurer Lincoln Co.
vs
Ewan D. Dameron Auditor

It May of exceptions in the above cause is hereby granted for a period of ten days and stay during granted upon application of S. F. Ormond et Esq of Counsel for Appellant.

Under B Parish

117 City of Guthrie

Fifteen days are hereby allowed appellants in which to file additional briefs

4

City of Chickasha Appellant
vs
H. G. Bearden Appellee

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the lower Court be and the same is in all things reversed with Costs.

Opinion by Burford J. all the justices concurring. Except Dale C.J. not sitting having presided as trial judge.

In Re:
Setting date for holding terms of Court in the Third judicial District.

At Tecumseh in Pottawatomie County beginning on September 25 1895.
At Norman in Cleveland County beginning on October 7th 1895.
At Alva in Woods County beginning on October 21st 1895.
At Oklahoma City in Oklahoma County beginning on November 4th 1895.

The above orders will be found recorded in full on pages 27-26-25-24 of this journal.

In Re:
Setting date for holding Special terms of Court at Kingfisher on Sept. 25th 1895.

The above order will be found recorded in full on page of this journal.

In Re:
Letting the date for
holding fall term of Court
at Charlotte beginning on
November 6th 1895.

The above order will be found recorded
in full on page of this journal.

346 Williams
vs
Blake -

The above cause having come
on for decision upon a motion for
dismissal and the Court being fully
advised in the premises.
It is therefore considered ordered and
adjudged that the said motion be and
the same is in all things sustained
with costs.

206 I. C. Grimes
vs
Cullison

The above cause having come
on for decision upon a motion for
rehearing and remand and the
Court being fully advised in the
premises. It is therefore considered
ordered and adjudged that the said
petition be and the same is in
all things denied with Costs

1a

shall

Fine after date

United States of America,
Territory of Oklahoma.
In the Supreme Court.

Be it remembered that on the [illegible] day of September A.D. [illegible], the same date being one of the regular judicial days of the June term of said court

There were present: Hon. Frank Dale, Chief Justice, Hon. John H. Burford, Henry W. Scott, J. C. Clark [?] and John L. McAtee, Associate Justices; Hon. C. R. Brooks, U.S. Attorney, Geo. E. [illegible], U.S. Marshal, Edgar W. Jones, Clerk, and H. D. [illegible] Court Crier.

Public proclamation of the opening of Court having been made by the crier, the following business was transacted and the following order made:

In Re,

Setting dates for the holding of terms of the District Court in the First Judicial District.

It is by the Court ordered that a term of Court shall be held at [illegible], in [illegible] County, commencing [illegible].

It is further ordered that all orders heretofore made in conflict with the above, are herewith vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for by this order.

And all writs and summonses of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the terms as provided for in this order.

And all persons under bond or recognizance to appear on the first day of the term of court as fixed in this order [illegible], in which he was required to appear by such bond or recognizance.

It is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of [illegible] County.

United States of America
Northern District of California
ss. At a stated term

Held at the Courthouse, in said District, on the first Monday of October, A. D. 1917, this cause coming on to be heard upon the pleadings and proofs, and upon the motion of Messrs. Heller, Ehrman, White & McAuliffe, solicitors for the complainant, and Messrs. Curtis Wheeler, Jr. and Wm. Denman, solicitors for the defendants, and it appearing to the Court that the defendants, and each of them, have been duly served with process of subpoena herein, and have failed to appear, plead, answer or demur to the bill of complaint herein, and that the time heretofore fixed by the order of this Court for such appearance, plea, answer or demurrer has expired, and no further time having been granted therefor by the Court, on motion of said solicitors for the complainant, it is

Ordered, that the bill of complaint herein be taken as confessed by the defendants, and each of them, and that the complainant is entitled to the relief prayed for therein.

And it is further ordered that all matters at issue and standing for trial at the term hereof shall stand for trial and determination at the term hereinafter fixed for the hearing of this cause.

And it is further ordered that all rules and requirements of this Court relative to the subject matter of this suit, heretofore duly made and now in force, shall still remain in full force and effect unless expressly modified.

And it is further ordered that the defendants, and each of them, cause their appearances to be entered herein within forty days after the service of the writ of subpoena herein, and that in case of their failure so to do, the complainant may apply at the next term hereof for such action as may be meet in the premises.

And it is further ordered that a copy of this order be served upon the solicitors for the defendants within ten days from the date hereof, and that service hereof may be made by the Clerk, the solicitors for the complainant to be relieved from the necessity of such service.

Dated ...

Letters Patent for the exclusive use of the Patent Printing Ink

It is further ordered that all matters at issue and standing for trial at the term hereof shall stand for trial and determination at the term hereinafter fixed for the hearing of this cause.

And it is further ordered that all rules and requirements of this Court relative to the subject matter of this suit, heretofore duly made and now in force, shall still remain in full force and effect unless expressly modified.

And it is further ordered that the defendants, and each of them, cause their appearances to be entered herein within forty days after the service of the writ of subpoena herein, and that in case of their failure so to do, the complainant may apply at the next term hereof for such action as may be meet in the premises.

And it is further ordered that a copy of this order be served upon the solicitors for the defendants within ten days from the date hereof, and that service hereof may be made by the Clerk, the solicitors for the complainant to be relieved from the necessity of such service.

* It is further ordered that the time before made in

* Interlined before signing

United States of America
Territory of Oklahoma,
In the Supreme Court
On this [illegible] day of
September A.D. 189[illegible] [illegible]
Judicial [illegible] of the [illegible]

There were present [illegible] Justice
[illegible] Associate Justices [illegible]
[illegible]
U. S. Attorney [illegible] U. S. Marshal [illegible]
and [illegible] Court Crier.

Public proclamation of the opening of court
having been made by the crier, the following orders
were entered and made [illegible]

[illegible]

[illegible] for the [illegible] of the
District Court [illegible]

It is by the Court ordered that a term of court
shall be held at [illegible] commencing
[illegible] 1890

It is further ordered that all orders heretofore made
in conflict with the above are hereby vacated and
set aside.

It is further ordered that all causes at issue and
standing for trial at the terms heretofore fixed will
stand for trial and determination at the term named
in this order.

And all orders [illegible]
made returnable to the terms of court as heretofore fixed
shall be returnable and stand for determination at
the times as provided for in this order.

And all persons under bond or recognizance
to appear at any term of court as heretofore fixed
shall be required to appear on the first day of the
term of court as fixed in this order in the county
in which he was required to appear by such bond
or recognizance.

It is further ordered that the Clerk of this [illegible]
court send a certified copy of this order to the Clerk
of the District Court of Oklahoma County.

and shall be returnable and shown for determination
at the term to which the same is made returnable

and shall be returnable and shown for determination
at the term to which the same is made returnable

United States of America,
Southern District of New York,
City of New York, ss:

I, [illegible], Clerk of the District Court of the United States of America, for the Southern District of New York, do hereby certify that the annexed is a true and correct copy of the Order of Publication in the above entitled cause, as the same appears of record and on file in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said Court, in the City of New York, in the Southern District of New York, this [illegible] day of [illegible] in the year of our Lord one thousand nine hundred and [illegible] and of the Independence of the United States of America the one hundred and [illegible].

United States of America
Territory of Washington
County of Whatcom
I do hereby certify that the foregoing
is a full, true and correct copy of the
original Writ of Attachment issued in the
above entitled cause.
Witness my hand and seal of said Court
this 2nd day of December A.D. 1870.
Dale Gibson Justice
of the Peace and ex officio Clerk of Whatcom County
Territory of Washington.

United States of America
Territory of Washington
County of Whatcom
I do hereby certify that the foregoing
is a full, true and correct copy of the
original Writ of Attachment issued in the
above entitled cause.
Witness my hand and seal of said Court
this 2nd day of December A.D. 1870.
Dale Gibson Justice
of the Peace and ex officio Clerk of Whatcom County
Territory of Washington.

United States of America
Territory of Washington
County of Whatcom
I do hereby certify that the foregoing
is a full, true and correct copy of the
original Writ of Attachment issued in the
above entitled cause.
Witness my hand and seal of said Court
this 2nd day of December A.D. 1870.
Dale Gibson Justice
of the Peace and ex officio Clerk of Whatcom County
Territory of Washington.

In the District Court of the Territory of [illegible] [illegible]
[illegible], 1875

John [illegible] et al
Relators
vs. [illegible] de Entry
[illegible] et al
Respondents

Now on this [illegible] day of [illegible] same being one of the regular court days of the present term of said court, this case came on for further consideration on the exceptions filed by relators to the return of the respondent A.R. [illegible].

And it appearing to the court that the amount of money the said [illegible] now [illegible] [illegible] [illegible] the sum of eight hundred and eighty eight (888 00/100) dollars, is in dispute, the question being raised as to whether or not it is not due said respondent as [illegible] [illegible] [illegible].

This being true it seems to the court that respondents bring their action at law for [illegible] [illegible], so as to determine the question of dispute on the part of said respondent, as treasurer of the Board of College.

It is therefore ordered that the exceptions of relators to the last return of respondent [illegible] is hereby overruled and that the costs of this proceeding taxed at [illegible] dollars, is adjudged against the said respondent A.R. [illegible].

of the United States of America

for the matter of application for
change of venue in the cause
pending in the United States Dis-
trict Court for Cleveland County,
Oklahoma Territory.

Now this day on this the 6th day of July, A.D. 1895
it being made to appear to me that peculiar grounds exist
in the District Court for Cleveland County, Oklahoma Ter-
ritory, and in the Third Judicial District of said Territory
to wit The United States of America vs. ——— Perry and
The United States of America vs. ——— Allen, wherein
in said court there application for change of venue
and application for change of venue
It being further made to appear to me that the Hon.
Judge of said Judge of the Third Judicial District is
disqualified to sit and a Judge in said cause:

Now therefore, I, Frank Dale, Chief Justice of the
Territory of Oklahoma, by virtue of the authority in
me vested do hereby assign and appoint Frank Dale,
Judge of the First Judicial District of the Territory of
Oklahoma, as a Judge to appear at Norman, Cleveland
County, in the Third Judicial District, and sit as a
Judge in the hearing of whatever may be presented in
the above entitled cause for consideration.

Witness my hand this the 6th day of July, A.D. 1895

Attest:

Edgar Fenton.
Clerk Supreme Court

Frank Dale,
Chief Justice Territory of Oklahoma

United States of America.
Territory of Oklahoma.
In the Supreme Court

Be it Remembered, That on this 5th day of June A.D. 1890 the above title became one of the regular Judicial days of the Supreme Court of said Territory, and then and there present: Hon. John H. Burford, Chief Justice, Hon. John G. Tibbles, Associate Justice, Hon. C. C. Hainer, U.S. Attorney, Hon. E. D. Pate, U.S. Marshal, Chas. M. Reed Clerk and the following entry was made, to-wit:

Petition, date for holding terms of the District Court in the Fourth Judicial District.

It is ordered by the Court that a term of Court shall be held at Newkirk, Kay County, commencing on the second Monday in August next.

It is further ordered that all orders heretofore made in conflict with the above are herewith recalled and set aside.

It is further ordered that all causes heretofore set for trial at the terms hereby fixed shall stand for trial and determination at the terms fixed in this order.

That all writs, mesne and final, process of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the term as provided for in this order.

And all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of court as fixed in this order in the county in which he was required to appear by such bond or recognizance.

It is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Kay County.

United States of America
Territory of Montana
In the Supreme Court
Be it Remembered, that on this the 21st
day of June, A.D. 1887 the above date being one of
the regular judicial days of the regular term of said
Court.

There were present Hon. Lorin Hadley, Chief Justice
Hon. Wm. H. Hunt, Associate Justice and Hon.
Elbert D. Weed, Associate Justice, Hon.
C. R. Brooke, U.S. Attorney, Hon. E. N. Fuller, U.S. Marshal
Edgar M. Bruce, Clerk and the following Proceedings
(Public Proclamation of the Opening of Court
having been made by the Crier the following among
other Business was had and done
(To Wit:

Setting date for the opening of terms of the
District Court in the Fourth Judicial District

It is ordered by the Court that a term of court
shall be held at the County of Deer Lodge
commencing on the Second Tuesday in September of each year.

It is further ordered that all notice heretofore
made in conflict with the above are herewith vacated
and of no avail.

It is further ordered that all causes at issue
and standing for trial at the terms hereinafter fixed
shall stand for trial and determination at the
term as provided for in this order.

And all persons under bond or recognizance
to appear on the first day of the term of Court
as fixed in their said bond or recognizance and required to appear to such bond or recognizance

And all notices, writs and processes of every
character returnable to the terms of Court as hereinbefore fixed shall be returnable and stand for
determination at the terms as provided for in this order.

It is further ordered that the Clerk of the Supreme
Court send a certified copy of this order to the Clerk
of the District Court of Deer Lodge County.

United States of America,
Territory of Oklahoma,
In the Supreme Court

Be it Remembered that on this the 21st day of June, A.D. 1907 the same date being one of the regular judicial days of the June Term of said Court.

There were present Hon. Frank Dale Chief Justice Hon. John H. Burford, Henry M. Furman, & Charles Pierce and John L. Pancoast Associate Justices &c. &c. O.K. Brooks, U.S. Attorney. Hon. E.D. Neal U.S. Marshal Edgar H. Jones, Clerk and W.A. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following among other business was had and done:

In Re,

Setting dates for the setting of terms of the District Court in the Fourth Judicial District.

It is ordered by the Court that the terms of court shall be held at Beaver, in Beaver County, commencing on the third Monday in October of each year.

It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the term as provided for in this order.

And all orders, writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the term as provided for in this order.

That all persons under bond or recognizance to appear on the first day of the terms of court as fixed in this order for the county in which he was required to appear by such bond or recognizance.

It is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Beaver County.

United States of America
District of Montana
In the Defendant Court

Be it remembered that on this the 2nd day of June, A.D. in the year last above of the Supreme Court of the State of said Court

There were present the Honorable Chas Bunker Judge Presiding Hon. Benjamin Rees Attorney for the United States and Hon. Walter Marks Marshal for said District when the following proceedings were had to wit:

Upon Motion of the Attorney for the Plaintiff Leave was granted to file Information and Subpoena in the above entitled cause and the same was filed accordingly.

And it is ordered by the Court that a Venire of Grand Jurors be issued of Twenty-five Legal Citizens of the County of Missoula returnable on the 4th day of June A.D. 1894 at 10 o'clock A.M.

And it is further ordered that all causes at issue and standing for trial at this Term heretofore fixed shall stand for trial and determination at this Term provided for by law.

And all writs, writs and processes of every character returnable to the Court at this Term shall be returnable and stand for determination at the Term as provided for in this order.

And the parties hereto shall be in readiness to appear at any time of Court as heretofore fixed by the Court as required to appear on the first day of the Term of Court as fixed in this order or the Court may direct as required to appear in such case or cases.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Missoula County.

United States of America,

} ss.

City and County of Denver,

I, [illegible], a Notary Public within and for the City and County of Denver, in the State aforesaid, do hereby certify that on this day personally appeared before me the said [illegible] who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that [illegible] executed the same for the purposes and consideration therein expressed.

Given under my hand and notarial seal this [illegible] day of [illegible] A.D. 1907.

[illegible]
Notary Public.

(Seal)

[illegible] of Denver
[illegible]
[illegible]
[illegible]

(Seal)

In the Supreme Court of the Territory of Oklahoma.

In the matter of the assignment of a Judge to hold a term of Court in and for the County of Garfield, Oklahoma Territory.

Now on this 13th day of December, A. D. 1907, it being made to appear to me that Chas. L. McClaskey, Judge of the District Court in and for Garfield County, Oklahoma Territory in the Fifth Judicial District, is disqualified to try certain causes pending in the County of Garfield in said Fifth Judicial District, and the regular Judge in certain cases pending in the above named County and District, and the regularly appointed Judge in accordance to law, said cause, and that said Judge is unable to attend at a term from the District to conduct the District Court of said Garfield County.

Now therefore I do, the undersigned Chief Justice of the Supreme Court of the Territory of Oklahoma, order that the Hon. Frank Dale, Judge of the Second Judicial District be and he is hereby appointed to sit as Judge of the District Court of said County in the Fifth Judicial District to hold a term of Court therein, and that said term of Court shall begin on the 17th day of December A. D. 1907, at 9 o'clock A. M. of said day, and that the regular Court shall resume until Hon. Chas. L. McClaskey, Judge of the Fifth Judicial District returns to said County.

Given under my hand at Kingfisher this the 13th day of December, A.D. 1907.

Frank Dale
Chief Justice of the Supreme Court

Seal.

Attest:-
Edgar M. Ford —
Clerk of the Supreme Court.

In the District Court of the Territory of Oklahoma.

In the matter of the application
for leave to file a writ of habeas
corpus and for warrant of commitment in the
said Territory.

Whereas, it is necessary that a writ of habeas corpus
shall be issued out of and under the seal of the Second
Judicial District in and for the Territory of Oklahoma, directed
to and able to have the body of Frank Nale before the District Court in the County of Canadian, in the said
Second Judicial District of Oklahoma, on the 13th day of December, A.D. 1895, then
and there to do, submit to and receive whatever may then and there be considered
by the said Court in this behalf; and
whereas, it is necessary that a warrant of commitment issue out of and under the seal of the said District Court
in the Second Judicial District of Oklahoma, directed to the Sheriff of Canadian County, commanding him to take the body of the said Frank Nale
and him safely keep, so that he may have the same before the said District Court in the Second Judicial District of Oklahoma, on the 13th day of December, A.D. 1895, then and there to do, submit to and receive whatever may then and there be considered by the said Court in this behalf;

Now, therefore, I, Edgar M. Kidd, Chief Justice of the Supreme Court of the Territory of Oklahoma, do hereby command you, the said Sheriff of Canadian County, that you have and bring the body of the said Frank Nale before the said District Court in the Second Judicial District of Oklahoma, on the 13th day of December, A.D. 1895, then and there to do, submit to and receive whatever may then and there be considered by the said Court in this behalf; and you are hereby commanded to keep the said Frank Nale safely in the meantime, so that you may have him before the said Court at the time aforesaid.

Given under my hand this 13th day of December, A.D. 1895.

(Seal)

Attest:-
Edgar M. Kidd -
Clerk of the Supreme Court.

In the Supreme Court of the Territory of Oklahoma.
In the District Court of the Fourth Judicial District
Territory of Oklahoma, in and for Kingfisher County.

C. H. Strickland, and J. A. Van Cleave
County Commissioners of Kingfisher County.

Now, on this, 13th day of December, A.D. 1895, it
being among the days of the Court, the Petitioners for the
District Court in and for Kingfisher County, Oklahoma
Territory, in the Fourth Judicial District, file a petition
in writing, praying for the issuance of a writ of

[illegible] to be assigned to try said cause, in the absence of said [illegible] Judge of the Fifth Judicial District, [illegible] Judge of the Fifth Judicial District be requested to try the above entitled cause, and that he proceed to try said cause on the day on which it is set for trial, or on the [illegible] December, A.D. 1890, at 9 o'clock, A.M., or as soon thereafter as the same may conveniently be reached in said cause.

Dated this 2nd day of December, 1890.

Attest: Seal
Edgar M. Jones
Clerk District Court

Frank Dale
Chief Justice of the Supreme Court of the Territory of Oklahoma

In the District Court of the Territory of Oklahoma

In the matter of the application to hold a term of court in Garfield County for the trial of criminal cases,

Oklahoma Territory.

Now on this 4th day of December A.D. 1890 it being made to appear to the Chief Justice of the Supreme Court of the Territory of Oklahoma, ordered that Hon. H. Burford, Judge of the second Judicial District be and is hereby requested to hold a term of the District Court of Garfield County, Oklahoma Territory, in the Fifth Judicial District, and that a special session of said court be held at Enid, the county seat of said county, for the purpose of trying criminal cases, and that a venire of jurors be issued by the Clerk of said court returnable on the 18th day of December A.D. 1890, at 9 o'clock A.M. of said day; and that the sheriff of said county be ordered to summon the petit jurors of said county to appear at the District Court room in Enid, Garfield County, Oklahoma Territory, on said 18th day of December A.D. 1890, at 9 o'clock A.M. of said day.

Dated this 4th day of December A.D. 1890.

Frank Dale
Chief Justice of the Supreme Court of the Territory of Oklahoma

In the District Court of the Territory of Oklahoma

In the matter of the application to hold a term of court in Garfield County for the trial of criminal cases,

Oklahoma Territory.

Now on this 4th day of December A.D. 1890 it being made to appear to the Chief Justice of the Supreme Court of the Territory of Oklahoma, ordered that Hon. H. Burford, Judge of the second Judicial District be and is hereby requested to hold a term of the District Court of Garfield County, Oklahoma Territory, in the Fifth Judicial District, and that a special session of said court be held at Enid, the county seat of said county, for the purpose of trying criminal cases, and that a venire of jurors be issued by the Clerk of said court returnable on the 18th day of December A.D. 1890, at 9 o'clock A.M. of said day; and that the sheriff of said county be ordered to summon the petit jurors of said county to appear at the District Court room in Enid, Garfield County, Oklahoma Territory, on said 18th day of December A.D. 1890, at 9 o'clock A.M. of said day.

Dated this 4th day of December A.D. 1890.

Frank Dale
Chief Justice of the Supreme Court of the Territory of Oklahoma

[illegible]

[illegible]
certain cause now pending
[illegible]
[illegible]
[illegible]

Whereas, it has been made to appear to me that [illegible] cause, [illegible] and for other good cause shown, I have this day called the Honorable [illegible] Judge of the District Court of Oklahoma County, to try and determine the issues of fact and law in said cause, and

Whereas, it has been made to appear to me that the said cause is still undetermined, and that a judge to try the same should be assigned.

Now therefore, by virtue of the authority in me vested, as Chief Justice of the Supreme Court of the State of Oklahoma, it is hereby ordered that Hon. A. C. Bierer, Judge of the Fourth Judicial District of Oklahoma County, be assigned to try said cause.

Witness my hand this 2nd day of January, 1914.

Frank Dale,
Chief Justice

Attest:
Edgar M. Jones,
Clerk Supreme Court

In the District Court in and for Oklahoma County

Robert M. Huggins, Plaintiff
vs.
John M. Nance, Defendant

No. 190.
Order assigning Judge to try case.

It appearing to my satisfaction that the Hon. Henry M. [illegible] Judge of the District Court in and for the Third Judicial District of the State of Oklahoma, is disqualified from trying the above entitled cause by reason of having been attorney for the plaintiff Robt M. Huggins in certain matters out of which said cause originated, I do hereby designate and select the Hon. John B. Burford, one of the Judges of the District Court in and for said County to try said cause at the Court House in Oklahoma City in said Oklahoma County, at the present session of said Court or at such time thereafter as said Judge shall designate.

Given under my hand this 3rd day of January, 1914.

Frank Dale,
Chief Justice

[seal] Attest: Edgar M. Jones
Clerk Supreme Court.

[illegible] of Limitations
[illegible] of Limitations [illegible] In the Alternative

[illegible] the plaintiff, [illegible] plaintiff [illegible] plaintiff [illegible]
[illegible] plaintiff [illegible] plaintiff [illegible] plaintiff [illegible]
[illegible] plaintiff [illegible]

And for [illegible]

Reasons
for
Demurrer.

Comes now the defendant, [illegible] Attorney, and [illegible] the plaintiff's complaint herein and for cause of demurrer [illegible] alleges:

That [illegible] plaintiff [illegible] plaintiff [illegible] plaintiff [illegible]
plaintiff [illegible] plaintiff [illegible]

That [illegible] plaintiff [illegible] plaintiff [illegible] plaintiff [illegible]
plaintiff [illegible] plaintiff [illegible] plaintiff [illegible]
plaintiff [illegible]

That [illegible] plaintiff [illegible] plaintiff [illegible] plaintiff [illegible]
plaintiff [illegible] plaintiff [illegible] plaintiff [illegible]
plaintiff [illegible]

Wherefore, defendant prays that plaintiff take nothing by this action and that defendant have judgment for costs.

[illegible]
Attorney for Defendant.

Filed

[illegible] the [illegible] [illegible] of [illegible]

In the matter of the application of [illegible] for a change in the actual name [illegible] in the County of Merced [illegible] of Merced.

Upon [illegible] of the petition of [illegible] for a change of his name from [illegible] to [illegible] and upon the affidavit of [illegible] and [illegible] and it appearing to the Court that [illegible] is a resident of the County of Merced, State of California, and has been for more than three years last past, and that he is a citizen of the United States, and that no reason exists why the prayer of said petition should not be granted, and that the publication of the order to show cause herein is unnecessary, and that no objection to the granting of said petition has been filed herein, and it appearing to the Court that it is proper that said petition be granted, and that the name of said [illegible] be changed to [illegible]

It is hereby ordered that the prayer of said petition be granted and that from and after the date hereof the name of said [illegible] be changed to [illegible]

Dated January 7th 1904.

[illegible]
Judge of the Superior Court.

Filed January 7th 1904. [illegible] Clerk.

to the Supreme Court of the State of Oklahoma.

to the Honorable Judge of the District Court in and for Grady County, Oklahoma, Greetings:

Whereas, it appears to me that there is a matter pending in the District Court in and for Grady County, Oklahoma, wherein Board of County Commissioners of Grady County is plaintiff and Grand Central Petroleum Corporation et al are defendants, which matter should be heard by a judge of said District Court, for the purpose of hearing, trying and determining said matter.

Now therefore, I, Frank Dale, Chief Justice of the Supreme Court of the State of Oklahoma, by virtue of the authority in me vested by law, do hereby appoint Honorable Edgar M. Goree, Judge of the Sixth Judicial District of the State of Oklahoma to hear and determine the matter above set forth.

In Witness Whereof, I have hereunto set my hand this the 27th day of January, 1940.

Frank Dale,
Chief Justice.

Seal.

Attest:-
Edgar M. Goree
Clerk Supreme Court.

In the matter of the appointment of a Judge to try matter pending in the District Court.

Original Order.

Now on this 27th day of January, 1940, it appearing to the Court that there is pending in the District Court in and for Grady County, Oklahoma, a certain matter wherein Board of County Commissioners of Grady County is plaintiff and Grand Central Petroleum Corporation et al are defendants, which matter should be heard by a Judge of said District Court, and it appearing to the Court that the Hon. Edgar M. Goree, Judge of the Sixth Judicial District of the State of Oklahoma is not disqualified to hear and determine said matter, and that good cause exists for the appointment of another judge in said County, for the purpose of hearing, trying and determining said matter.

Now therefore, I, Frank Dale, Chief Justice of the Supreme Court of the State of Oklahoma, by virtue of the authority in me vested by law, do hereby appoint Honorable Edgar M. Goree, Judge of the Sixth Judicial District of the State of Oklahoma to hear and determine the matter above set forth.

In Witness Whereof, I have hereunto set my hand this the 27th day of January, 1940.

Frank Dale,
Chief Justice.

Seal.

Attest:-
Edgar M. Goree
Clerk Supreme Court.

In the matter of the appointment of a Judge to try matter pending in the District Court.

Original Order.

Now on this 27th day of January, A.D. 1940, it being made to appear to the Judge Presiding over the Supreme Court of the State of Oklahoma that Honorable Scott Loving of the Sixth Judicial District of said State is sick and unable to hear and determine the matter above stated; and that good cause exists for the appointment of another judge in said County, for the purpose of hearing, trying and determining said matter.

Now therefore, I, Frank Dale, Chief Justice of the Supreme Court of the State of Oklahoma, by virtue of the authority in me vested by law, do hereby appoint Honorable Edgar M. Goree, Judge of the Sixth Judicial District of the State of Oklahoma to hear and determine the matter above set forth.

In Witness Whereof, I have hereunto set my hand this the 27th day of January, 1940.

Frank Dale,
Chief Justice.

Seal.

Attest:-
Edgar M. Goree
Clerk Supreme Court.

In the matter of the appointment of a Judge to try matter pending in the District Court.

Original Order.

Now on this 27th day of January, A.D. 1940, it being made to appear to the Judge Presiding over the Supreme Court of the State of Oklahoma that Honorable Scott Loving of the Sixth Judicial District of said State is sick and unable to hear and determine the matter above stated; and that good cause exists for the appointment of another judge in said County, for the purpose of hearing, trying and determining said matter.

Now therefore, I, Frank Dale, Chief Justice of the Supreme Court of the State of Oklahoma, by virtue of the authority

[illegible]

[illegible]

In the Supreme Court of Delaware, sitting at Dover

In the matter of the application of
J. H. Evans for a Writ of Habeas
Corpus.

Upon motion made in behalf of J. H. Evans for another time is made to this Court application to this Court to reconsider the judgment of this Court in this above matter, and it being made to appear to the Court that since issue to issue for the custody of the body of J. H. Evans is made to appear that the said J. H. Evans is restrained of his liberty by the Sheriff of Sussex County, it is ordered that the said Sheriff of Sussex County, do have the body of the said J. H. Evans, with the further writ of this Court

Issued May 1.

Chief Justice.

In the Supreme Court of Delaware sitting at Dover

In the matter of the application of
Robert Burris for a Writ of Habeas
Corpus.

Upon motion made in behalf of the petitioner for reconsideration of the judgment of this Court in the above matter, and it being made to appear to the Court that since issue to issue for the custody of the body of Robert Burris, it is ordered that the said Sheriff of Sussex County, do have the body of the said Robert Burris before this Court

of the Supreme Court, dated and delivered that the writs of Certiorari issued herein be quashed, and the cause dismissed, and that the Petitioners pay the costs of this cause.

Frank Dale
Chief Justice.

In the Supreme Court of Oklahoma Territory, sitting at Guthrie, O.T.

In the matter of the application of
L. H. Byrum and Robt Belford
for a writ of Habeas Corpus.

Order

The above entitled cause coming on to be heard upon the application of Petitioners to be admitted to bail pending the prosecution of said cause in the Supreme Court, and good cause being shown, and it being made to appear to the Court that the above named Petitioners, and each of them should be admitted to bail,

It is therefore by the Court ordered and adjudged that said Robt Belford and L. H. Byrum be admitted to bail in the sum of Three Hundred Dollars ($300.00) each, said bail being conditioned for the appearance of said Petitioners and each of them at the next sitting of the Supreme Court to be held at Guthrie, O.T. on the 13th day of February, A.D. 1890.

And that the Sheriff of the said Logan County, and the Clerk of the District Court, and when so affirmed to be ordered that the said Petitioners, and each of them be released from the further custody of the Sheriff of Logan County.

Done at the City of Guthrie on this the 19th day of January A.D. 1890.

Frank Dale
Chief Justice.

Attest:-
Edgar M. Boyle.
Clerk Supreme Court.

United States of America
Western District of Oklahoma

Be it Remembered, that on the 6th day of January, in the year of our Lord One Thousand Nine Hundred and Eleven, the following proceedings were had in the matter of Petitions for the regular Judicial term of the District Court of the United States, for the Western District of Oklahoma, to-wit: Hon. E. D. Pitz, U. S. District Judge; Hon. C. B. Burford, U. S. District Attorney; H. S. Utt, Hon. E. D. Pitz, U. S. District Clerk; and the following proceedings were had, to-wit:

Public Proclamation of the opening of Court Session were made by the Crier, the following proceedings were had, to-wit:

In Re,
Admission of Attorneys.

Comes now George Graham Gardner, Esq., and moves the Court that J. H. Wilson of Guthrie, be admitted to practice in the defendant Court. Said motion is sustained and it is ordered that said Wilson be admitted to practice herein and in the United States Courts in the Western District of Oklahoma.

361. John A. Myers.
vs.
United States of America.

The above cause coming on to be heard upon the regular call of the docket was at this time argued by counsel. Hon. C. B. Burford, U. S. District Attorney appearing on behalf of the United States, and J. A. Myers attorney for the defendant John A. Myers.

6

333. P. T. Walton, et al
vs.
M. R. Williams & Co.

Comes now C. M. Mackey and asks leave of the Court to file briefs in the above entitled cause. Leave by the Court is granted, and briefs are filed with Clerk

323. The State
vs
Curtis & Oklahoma.

Error from L. R. Buckner and rule last of the Court to file affidavit in the above entitled cause. Ordered to the Court in time and brief were so filed

325. Lacy Jackson
vs
State of Oklahoma.

The above entitled cause coming on for hearing upon the regular call of the docket was at this time submitted on the record and briefs. The Territory being given ten days time in which to reduce and file additional briefs.

303 Lacy Lucien
vs
State of Oklahoma.

The above entitled cause having been reached upon the regular call of the docket at this time submitted upon the record. The plaintiff in error was allowed thirty days time in which to file reply brief.

343. Lewis R. Nelson et al.
vs.
State of Oklahoma.

Now on this day Hon. C. A. Galbraith, Attorney General for the State and asks leave to file motion to dismiss in the said cause. Leave is granted and motion is filed with the Clerk

342. State of Oklahoma, ex rel.
J. H. Hinds, County Attorney
vs.
J. L. Howard, Probate Judge.

The above cause having been reached upon the regular call of the docket was at this time continued upon the Court's own motion on the suggestion of J. L. Brown, Attorney of record for the appellee.

307 E. J. Cannon, Auditor etc.
vs.
Creditors of Oklahoma Coal-
ing & Mining Company
et al. Claimants

Cause set for hearing on motion of claimants for leave to file petition in error and case made and for supersedeas and motion to dismiss petition in error filed by the defendant in error.

308 Julian Baxter
vs.
J. F. Burdick, Sheriff of
Leveland County.

This cause coming on to be heard upon the regular call of the docket, and attorneys appearing and submitting. J. H. Davis appearing for plaintiff in error and R. Watson appearing for Defendant.

314 Bruce Dalton
vs.
Territory of Oklahoma

Cause upon the application of Attorneys Ferguson for the Territory of Oklahoma, and rule of the Court to file record to dismiss the above cause, Consent of the Court is given and motion is so filed.

208 Oliver F. Terrell
vs.
Territory of Oklahoma

This above cause coming on for hearing upon the regular call of the docket and at this time submitted upon the record and brief.

315 Louis Y. Short
vs.
L. M. Perkins.

This above cause was at this time continued for the term upon motion of L. O. Nation.

No. 320 Bullock Smith et al
vs
Succession of Thomas Morgan et al

Appeal from the at this term sitting as the term of the District.

No. 321 Succession of Thomas Morgan
vs
Succession of Mary Ann Morgan et al

Appeal from the at this term sitting as the term of the District.

No. 322
vs
Succession of Mary Ann Morgan et al

Appeal from the at this term sitting as the term of the District.

No. 323

Petition to hold a special term of the District Court and for the Fourth Judicial District

United States of America
Territory of Oklahoma
ss: the Supreme Court

Be it Remembered that on this the 7th day of January A.D. 1896, the above date being one of the regular Judicial Days of the January term of said Court

There in the Present Hon. Frank Dale Chief Justice, Hon. Wm. M. Burford and C. N. J. Burr, Associate Justices; Hon. C. B. Burke, U. S. Attorney, Hon. E. D. Nix, U. S. Marshal E. Lyon, Clerk and H. C. Fenton, Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following various other matters and Entries were had and done.

No. 12.

Petition for holding a special term of the District Court in the Fourth Judicial District.

It is ordered by the Court that a special term of the District Court shall be held at Newkirk in said County on Wednesday, January 8th, A. D. 1896.

Doc. R.

Approving the accounts of E. F. Cope, United States Commissioner in and for the Fourth Judicial District.

At a stated term of the Supreme Court of the Territory of Oklahoma, within and for the District of Oklahoma Territory, begun and held at the City of Guthrie on the [illegible] day of January A.D. eighteen hundred and ninety-six.

Present, the Honorable Frank Dale, Chief Justice, Hon. H. Burford and A. G. C. Bierer, Associate Justices. C. R. Brooks, U. S. Attorney, Hon. E. D. Day, U. S. Marshal. Edgar W. Jones, Clerk and H. L. Taylor Court Crier.

Among the proceedings had were the following, to wit:

Whereas, E. F. Cope, a Commissioner of the District Court of the United States for the Fourth District of Oklahoma Territory, residing at Perry, has presented to the Court an account of his fees as such Commissioner, from the 1st day of October, 1895 to the 31st day of December 1895 and in the presence of C. R. Brooks, the District Attorney of the United States in and for said District has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated, and the same appearing reasonable and according to law;

It is therefore ordered that said account amounting to the sum of Nine hundred ninety dollars and fifty-five cents be and the same is hereby approved.

Frank Dale
Chief Justice.

And thereupon by order of the Court, business having been [illegible] the Court was adjourned until February 8th 1896, at 10 o'clock A. M.

United States of America
District of Oklahoma

Be it Remembered that on this the Eighth day of January A.D. 1912 the same being a regular day of the Regular January Term of the District Court of Oklahoma City, Oklahoma. The above entitled being one of the regular Statutory days of said Court.

Now comes Hon. Frank Dale, Chief Justice Hon. Thos. H. Burford and A. G. Sharp Associate Justices Hon. S. P. Brooks Hon. Edw. D. Bonnett, Sept. Dist. Court Bailiff.

Public Proclamation of the Opening of Court having been made by the Crier, the following among other business was had and done:

301 U. S. ex rel
vs.
Victor Ellen Chamberlain.

The above cause was at this time continued.

303 The City of Oklahoma City.
vs.
Will Rice

The above cause was at this time called and passed for the reason that there was present no quorum of Judges qualified to sit in said cause.

302 The city of Oklahoma City.
vs.
Emily J. Myers.

The above cause having been marked upon the regular call of the docket was at this time submitted upon the record and briefs.

312. J. P. Richards
vs.
Ike Whitehead.

The above cause was at this time remanded back to the District Court in accordance with stipulation filed by the attorneys of record in said cause.

384. W. F. & J. F. Betts
vs.
J. A. Biddleston.

The above cause coming on this day for argument upon defendant's motion filed in the office of record.

387. H. B. Burris
vs.
Territory of Oklahoma

The above cause coming on for decision upon motion to dismiss appeal, and the court being fully advised in the premises, and it appearing that the said motion is well taken, the cause dismissed and the judgment of the lower court affirmed.

401. Oklahoma Pacific Railway Co.
vs.
Barnes et al.

The above cause coming on for decision upon motion to dismiss appeal, and the court being fully advised in the premises, and it appearing that said motion is well taken, the cause dismissed and the judgment of the lower court affirmed.

390. H. B. Long County Clerk
vs.
Thomas Pettit

The above cause coming on for decision upon motion to dismiss, and it appearing that said motion should be sustained for the reason that no case made has been served on the attorney of record for the appellee. And the cause is directed to issue order of procedendo to the district court of Logan County.

384. E. O. Connors Sheriff etc
vs.
Territory of Oklahoma, ex rel
W. H. Wilson, County Treasurer
of Lincoln County.

The above cause coming on for decision upon motion to dismiss, it appearing that the petition in error herein was filed, waived and the

reversed this decision & held the case is properly entered with costs, and the Magistrate must to the District Court below affirming judgment & said District Court

Feb 11. Chas M. Shaw
vs.
Charles F. Shaw

Court Note: I direct Sup. Attorney for the Defendant to show cause why the writ of Mandamus should not issue as prayed for & why accordingly filed.

Feb 21 Wm. Hill Mumford
vs.
Isaac Pratt.

Feb 23 Rule discharged with costs & the case continued until the next term.

Feb 23 J. D. Brewer
vs.
C. L. Cowles.

Feb 23 Rule discharged with costs & the case continued when the record shall appear.

Upon examination the writ of the Court having been issued by the wife the Court has no jurisdiction of the matter & the writ is quashed & dismissed.

United States of America
Territory of Oklahoma

Be it Remembered that on this the Ninth day of January in the year of our Lord one thousand eight hundred and ninety six the Supreme Court of the Territory of Oklahoma met in the city of Guthrie. The same being one of the regular adjourned days of the January Term of said Court.

There were present Hon. Frank Dale, Chief Justice, Hon. John H. Burford, Henry W. Scott, A. G. C. Bierer and John L. McAtee, Associate Justices, [illegible] U.S. Marshal, Edgar W. Jones, Clerk and W. L. [illegible] Court Crier:

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done:

In Re
Admission of Attorneys.

Comes now [illegible] Esq. and moves the admission of J. S. Jenkins of the Oklahoma City bar. Mr. Jenkins having taken the prescribed oath, administered by Justice Bierer, was duly declared qualified to practice in the superior and inferior courts of the Territory.

337. John Provine
vs.
Charles Love.

The above cause having been reached upon the regular call of the docket was at this time argued and submitted. J. S. Jenkins, Esq. appearing for the plaintiff in error and J. H. Everest, appearing for the defendant in error.
The court at this time permits the plaintiff in error to file additional briefs.

333. Bank of Minco
vs.
Samuel Strauss.

Comes now C. J. Blakeney counsel for plaintiff in error in above cause and asks leave of the Court to file affidavit in above cause. Consent is given and affidavit is so filed. The cause is at this time taken, by the Court upon the record and briefs.

D. B. Grant et ux
vs
M. A. Zeller.

The above cause having come on for hearing and the Court being fully advised in the premises, the said cause is at this time taken upon the record and proofs.

336 E. L. Lewis
vs.
James Atherton, et al.

The above cause having come on for hearing and the Court being fully advised in the premises, the said cause is at this time taken upon the record and proofs.

337 Caldwell Electric
vs.
Alice Stuart.

The above cause having come on for hearing and the Court being fully advised in the premises, the said cause is at this time taken upon the record and proofs.

338 Lewis L. Garrard
vs.
Nancy A. Hutton.

The above cause coming on for hearing and the Court being fully advised in the premises, the defendant, Nancy A. Hutton, moved the Court that the appearance of Lewis L. Garrard by W. T. Hutton, guardian ad litem, for additional time in which to file answer.

340. Wm. Paul, Administrator etc.
etc. vs. Thos. J. Venable
Accounts.

vs.
Samuel J. Postlethwaite

The above cause coming on for hearing and the Court being fully advised in the premises, it is ordered that the appearance of Samuel J. Postlethwaite, defendant herein, by his attorney, W. T. Hutton,

[illegible] the same [illegible] [illegible]

345 [illegible]
vs
[illegible]

The above cause having come on for hearing at this time and the court being fully advised in the premises It is therefore ordered that said cause be [illegible] on the briefs and records.

321 [illegible] R. R. Co.
vs
Walter Glen Chamberlain

The above cause having come on for hearing at this time and the Court being fully advised in the premises It is therefore considered ordered and adjudged that the appellee be given thirty days in which to prepare and file briefs and that the appellant be given one day to file reply briefs. Said cause to be taken and submitted upon the record and briefs.

In re
Approving the accounts of United States Commissioners in and for Oklahoma Territory.

At a called term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma begun and held at the city of Guthrie on the sixth day of January A D eighteen hundred and ninety six.

Present the Honorable Frank Dale Chief Justice [illegible] Burford, Henry W Scott, J. C. [illegible] and [illegible] Associate Justices, Hon C. R. Brooks U.S. Attorney, Hon E. D. Nix U.S. Marshal, Edgar W Jones Clerk and H. A. [illegible] Court crier;

Among the proceedings had were the following to-wit:

Whereas, H. M. Pickell a commissioner of the District Court of the United States for the Third District of Oklahoma Territory residing at [illegible], has presented to the Court an account of his fees as such Commissioner from the [illegible] day of October 1895 to the 31st day of December 1895 [illegible]

[illegible] the District Attorney of the United States in and for said district, has proven on oath to the satisfaction of the court that the services therein charged for have been actually and necessarily performed as therein stated and the rates charged are reasonable and according to law.

It is therefore ordered that said account amounting to the sum of [illegible] dollars and [illegible] cents be paid, the same is hereby approved.

Frank Dale
Chief Justice.

No. [illegible]

Approving account of C. A. O'Bryan
U. S. Commissioner in and for the
First Judicial District

At a stated term of the Supreme Court of the Territory of Oklahoma begun [illegible] and held at the city of Guthrie on the [illegible] day of January A.D. eighteen hundred and ninety six.

Present the Honorable Frank Dale Chief Justice; Hons. John H. Burford, Henry W. Scott, A. G. C. Bierer and John L. McAtee, Associate Justices. Hon. C. R. Brooks U.S. Attorney, Hon. E. D. Nix, U.S. Marshal, Frank H. Greer Clerk and H. A. Taylor Court Crier.

Among the proceedings were had the following, to-wit:

Whereas C. A. O'Bryan, a commissioner of the District Court of the United States for the First District of Oklahoma Territory has [illegible] presented to the court an account [illegible] services as such commissioner from the [illegible] day of October 1895 to the [illegible] day of December 1895 [illegible] in the presence of C. R. Brooks the District Attorney of the United States in and for said District has proven on oath to the satisfaction of the court that the services therein charged for have been actually and necessarily performed as therein stated and the same charged are reasonable and according to law.

It is therefore ordered that said account amounting to the sum of Two hundred eighty-six dollars and eighty-five cents be paid, the same is hereby approved.

Frank Dale
Chief Justice.

No. [illegible]

Approving account of John W. Morgan
U. S. Commissioner in and for the
Second Judicial District

[illegible]

[illegible] Record this November [illegible] Term of the District Court of the United States for the second District of Oklahoma Territory, holden at Guthrie the 1st Monday to the 2nd day of January 1895 to the 5th day of June 1895 and on the application of U. S. Burke the District Attorney of the United States and for the satisfaction of the Court that the Order hereinafter mentioned should be made

It is therefore ordered that said account be approved to the sum of [illegible] and the Clerk of said Court the sum of [illegible]

Clerk's Fees

Witness, account of [illegible]
U S Commissioners fees [illegible]
Costs herein [illegible]

[illegible] Term of the District Court of the Territory of Oklahoma within and for the District of Oklahoma Territory and held at the City of Guthrie on the 1st Monday of January A. D. Eighteen hundred and ninety five (1895)

Present the Honorable [illegible] Judge presiding

Record [illegible] Clerk

Be it remembered that on this 2nd day of April 1895 the following proceedings were had and entered of record in said Court to wit:

Thereupon the Court [illegible] the Order of Publication heretofore made herein and the Court being satisfied that the same has been duly published as required by law and that the defendants have failed to appear, plead, answer or demur to the petition herein and that the time for so doing has expired

Thereupon, E. M. Bond, Commissioner of the District Court of the United States for the Fourth District of Oklahoma Territory sitting at Guthrie was produced by the Court and examined of his own motion and on the 9th day of Feb 1895 to the 3rd day of December 1895 and upon the request of U S Burke, the District Attorney of the United States and for said District has forever and made to the satisfaction of the Court that [illegible] services rendered for said [illegible]

[illegible] and the same [illegible] to be
If it therefore ordered that said account be approved to the
amount of Five Hundred Eighty-four Dollars and Fifty-five Cents
be and the same is hereby approved.

Frank Dale
Chief Justice.

Clerks account of Jurors Witnesses
U S Commissioner etc sent for the
Fifth Judicial District.

At a stated term of the Supreme Court of the Territory of Oklahoma held for the District of Oklahoma County
began and held at the City of Guthrie on the Ninth Day of January
A D Eighteen Hundred and Ninety six.

Present the Honorable Frank Dale Chief Justice, Hon. Wm
F Gill, Hon. John H Scott, A J Weaver and Chas M Moore
Associate Justices, Hon. B D Brooks U S Attorney Hon E M Re-
D S Marshal, Hon. Chas F Colcord and H A Taylor Court Clerk

When the proceedings were the following to-wit:

Thereupon Samuel Hector, a Commissioner of the District
Court of the United States for the Fifth District of Oklahoma
Territory, residing at Enid Creek, filed herein & to the Court
his account of fees as such Commissioner from the 1st day
of October, 1895 to the 31st day of December, 1895 inclusive
& to whom the District Attorney of the United States in and
for said District has sworn on oath to the satisfaction of the
Court that the services therein charged for have been actually
and necessarily performed as therein stated, and the same
appearing reasonable and according to law

It is therefore ordered that said account amounting to
the sum of Sixty-nine Dollars and Fifty cents be and
the same is hereby allowed

Frank Dale
Chief Justice.

354 United States
vs.
County of Oklahoma.

The same cause having been regularly
this day again called and submitted.
A. J. Weaver announced for defendant and it 26
Benton for plaintiff.

[illegible]

[illegible]

[illegible]

[illegible]

313. U.S. v. Oklahoma

[illegible]

Ibid.

The above cause coming on to be heard this day on the motion of the [illegible] for leave to file a bill of complaint herein, and it appearing to the Court that the [illegible] has heretofore been granted leave to file a bill of complaint herein, and that [illegible]

Ordered by the Court that the motion of the [illegible] for leave to file a bill of complaint herein be, and the same is hereby, granted.

Journal of the [illegible]
Proceedings of Grand Jury.

Be it Remembered that on this the tenth day of January
in the year of our Lord one thousand eight hundred and ninety-
six this Session, court of the District of Oklahoma was held in
the City of Guthrie. This being said being one of the regular
Judicial days of the January term of said Court

Were present Hon. Frank Dale Judge, Presiding,
Hon. H. Wentford, Henry H. Scott, U. S. Marshal, and Hon. Edward
H. Foster, U. S. Attorney. Hon. Edgar H. Bower Clerk and H. A. Major Court Crier
Whereupon the following proceedings were had and done,
to wit

Journal of Attorneys.

Comes now Ray V. Hoffman, Assistant U. S. Attorney, and
moves the Court that A. M. Patterson and C. A. Lamar of the Guthrie
Bar be and they are hereby admitted to practice in the
United States Court of the District. The motion was accordingly
Administered to above named applicants by Judge Dale and they
were duly declared admitted to practice in the Courts and District
Courts of the District of Oklahoma.

Journal

Proceedings Records of U. S. Grand
Jury Commissioners in and for the
Fourth Judicial District.

Be it duly known of the January Court of the United
States Commissioners within and for the District of Oklahoma Territory
began and held at the City of Guthrie on the Tenth day of
January A. D. eighteen hundred and ninety six.

Present the Honorable Frank Dale Judge presiding. Hon. Jos.
H. Wentford Henry H. Scott, U. S. Marshal and Hon. Edward Foster, Assistant
Judges; Ray V. Hoffman, U. S. Attorney, Hon. Edgar H. Bower
Clerk H. Grimes Court and H. A. Major, Court Crier.

Among the proceedings had were the following to-wit:

Henry C. Dealy, a Commissioner of the District Court
of the United States for the Fourth District of Oklahoma Territory
residing at Pawnee has reported to the Court his account
of his fees as such commissioner from the 1st day of October
1890 to the 31st day of December, 1895 and the receipt of
C. P. Brooks, the District Attorney of the United States who sued
for said district, the account was ordered to the City Attorney
the Court, that the circuit Judges charged for their fees

United States of America
Territory of Oklahoma

Be it Remembered that on this the Eleventh day of January, in the year of our Lord one thousand eight hundred and ninety-six, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie. The following Judges of the Supreme Court of said Territory, to-wit: Hon. Frank Dale, Chief Justice, Hon. Edmund Long, Hon. Samuel Harper, Hon. Henry M. Scott, Hon. S. C. Bierer and Hon. John H. Burford, Associate Justices, Hon. E. D. Pierce, Clerk, Hon. [illegible] Sheriff, when the following proceedings were had and entered of record, to-wit:

Attorneys of Record.

Come now J. W. Adams, Esq., of the Attorney's and move to be admitted to practice in the Supreme Court of the Territory of Oklahoma.

348 Frank J. Reed

vs. No. 5 Civil

The same cause is at this time called and in default of appearance of the Attorneys interested.

347 Walter Caldwell

vs. No. 6 Civil

Rolla Caldwell

The same cause being this day reached upon the regular call of the docket and is now submitted upon the demurrer and petition.

346 W. F. Hennessey et al

vs. No. 7 Civil

Frank J. Burford et al.

The same cause coming on to be heard upon the demurrer to the Second Paragraph of the petition and the Court being fully advised in the premises, overrules said demurrer to which the Defendants except.

35. [illegible]

[illegible]

[illegible]

35a. [illegible]

[illegible]

35b. [illegible]

[illegible]

35c. [illegible]

[illegible]

35d. [illegible]

[illegible]

35e. [illegible]

[illegible]

35f. [illegible]

[illegible]

35g. [illegible]

[illegible]

Geo. [illegible]
vs.
Daniel [illegible]

Ordered that the above cause stand at this time continued for the term without prejudice of H. E. Lee & counsel for Applicant.

[illegible] Brown
vs.
James Robitz.

Imperial Procedure in Bankruptcy.

The above cause coming at this time to be heard and submitted. J. W. Wright, Esq. appearing for Petitioner, and Phillips & Brooks appearing for Petitioner

Geo. Smith & Co.
vs.
E. C. Hamblet
H. S. Hamblet.

The above cause coming at this time continued for the term and Parties Litigant required to file briefs as required by the rule.

And thereafter to wit on the 6th day of the March term of said Court by the Court, the Court was adjourned until Monday 13th at 2 o'clock. (P.M.).

Deed Poll of Covenant
between J. Dickinson.

We the Undersigned Elizabeth Dickinson of the City of Philadelphia in the County of the Province of Pennsylvania Widow Relict of Charles Dickinson late of the City of Philadelphia Esquire deceased and Executrix named in the Last Will and Testament of the said Charles Dickinson deceased for and in consideration of the Sum of Five Shillings lawful money of Pennsylvania to us in hand paid by Thomas Dickinson of the City of Philadelphia Esquire Son of the said Charles Dickinson deceased the Receipt whereof we do hereby acknowledge Do hereby

United States of America
Northern District of Oklahoma

Be it Remembered that on this 5th day of January A.D. 1931 the Supreme Court of the Territory of Oklahoma in and for the City of Tulsa, the above date being the day of the regular January term of this Court that

Then and there the following proceedings were had to-wit

No. 20. D. D. Murdock, et al
vs.
W. F. Ford, Chairman Board of County Commissioners

Original Procedure in Mandamus

On this cause coming on at this time called up by L. M. Swindall, Attorney for Petitioners asking leave to file brief in support of said cause and consent of the Court is given and brief accordingly filed with the Clerk

No. 21. L. M. Spencer
vs.
Chas. Reynolds, Sheriff.

On this cause coming on at this time called and continued until January 12th A.D. 1931.

No. 22. Ernest Stephens
vs.
S. B. Hall, Warden.

On this cause coming on at this time called and continued until January 12th A.D. 1931.

363 S. C. Young
vs.
J. M. Dunn, Receiver, etc.

On this day this cause coming on for hearing and the attorneys to prepare and file briefs

360 Kelly - Newspaper Line Co.
vs.
William H. Taft et al.

The above cause was at this term submitted upon the record and brief.

361. H.H. Rockefeller
vs.
J.H. Foster, et al.

The above cause was at this time called and argument for the term when same is to be filed, and Plaintiff in Error desires to reply brief.

362. Akron Pickling Co. et al
Dundee Realty
Mercantile Company.
vs.
B & O Railroad.

The above cause was at this time submitted upon the record and brief.

370. The Pearlman State Bank
Succession
vs.
Thompson & Wilson.

The above cause having been reached upon the regular call of the docket and at this term docketed for the reason that trial was not finished within the time required by the Supreme Court Rules.

371. Third National Bank
of Dallas.
vs.
F. M. Jones Hardware

The above cause having been reached upon the regular call of the docket and is now at this time submitted upon the record and briefs. The defendant having given ten days to file brief and appellant ten days to reply brief.

372. Thomas Cassidy
vs.
George M. Taylor.

The above cause having been reached upon the regular call of the docket and is now at this time submitted upon the record and briefs. The defendant having given ten days to file brief and appellant ten days to reply brief.

373. G. T. Turner and Emma
A. Barnes.
vs.
J. M. McAfee.

The above cause is now at this time taken and considered by the Court.

374. John A. Williams et al. vs. City of El Paso Appellant

The above cause is now at this time submitted upon the record and briefs.

375. Curtis Hardware Co.
vs.
O. N. Barnes.

The above cause is now at this time submitted upon the record and briefs. The Appellant having given ten days time within which to file brief and the Appellee ten days time within to file reply brief.

376. [illegible]
[illegible]
vs.
[illegible]

[illegible] the [illegible] for the [illegible] [illegible] to the [illegible]

377. [illegible]
[illegible]
vs.
[illegible]

[illegible] [illegible] for the [illegible] [illegible] [illegible]

378. [illegible]
vs.
[illegible]

The above cause having been reached from the regular call of the docket and the Court [illegible]

379. The State Capital Printing Co.
vs.
[illegible] et al.

The above cause having been reached from the regular call of the docket and the Court being fully advised in the premises it is therefore considered, ordered and adjudged that the judgment of the lower Court be and the same is in all things affirmed with cost.

381. [illegible]
of the City of [illegible]
vs.
[illegible] et al.

The above cause having been reached from the regular

[illegible] at the market price at that time submitted when the record was made

[illegible]

[illegible]

The time sales are at that time continued for the term and the ordinary times thirty days as nearly as may be

[illegible]

[illegible]

[illegible]

The time sales under at that time submitted when etc. record was made

[illegible]

[illegible]

[illegible]

The time sales at that time taken when the record was made.

[illegible]

[illegible]

The time sales at that time taken when the record was made.

[illegible]

[illegible]

The time sales at that time agreed on and

[illegible]

At a stated term of the District Court of the United States, within and for the District of Western Territory, held at the City of Guthrie on the Fourteenth day of January A. D. Eighteen Hundred and ninety six,

Present, the Honorable Frank Dale, District Judge, when among other proceedings had and done, the following, to wit, Among the proceedings had were the following - to wit.

Here, W. S. Hill, a commissioner of the District Court of the United States for the Said District of Western Territory, residing at Medford has presented to this Court his account of fees as such Commissioner from the 1st day of October, 1895 to the 1st day of January 1896 inclusive of which the District Attorney of the United States is duly informed, which said fees are subject to the approval of the Court that the services therein charged for were necessarily rendered and according to law.

It is therefore ordered that said account amounting to the sum of Twenty-two Dollars and Fifty-five cents be and the same is hereby Allowed.

Frank Dale
District Judge.

In the

Proceedings Account of W. S. Hill
U. S. Commissioner
for the Second
Judicial District.

At a stated term of the Supreme Court of the United States within and for the District of Oklahoma Territory, held at Guthrie on the Fourteenth day of January A. D. Eighteen Hundred and ninety six.

Present the Honorable Frank Dale, District Judge, when among other proceedings had and done, the following, to wit, Among the proceedings had were the following - to wit.

Here, W. S. Hill, a commissioner of the District Court of the United States in and for the Second Judicial District of Oklahoma Territory, residing at Medford has presented to this Court his account of fees as such Commissioner from the 1st day of October, 1895 to the 1st day of January, 1896, inclusive the receipt of W. H. Burke, the District Attorney of the United States in and for said District for service thereon charged for, being necessarily

performed as therein stated and the same appearing true according to law.

It is therefore ordered that said account amounting to the sum of Three Hundred Seventy four dollars and Eighty cents be and the same is hereby approved.

Frank [illegible]
Chief Justice

And thereupon by order of the Court proclamation having been made by the Crier the Court was adjourned until January 15th at 10 o'clock A. M.

United States of America
District of Delaware.

Be it Remembered that on this the Eighth day of January in the year of our Lord one thousand eight hundred and ninety eight in the Supreme Court of the District of Delaware sitting in the Court House at Wilmington before the Hon. Edward G. Bradford Judge of said Court and by the Clerk of said Court the following Rules were made and entered of record to wit:

Rule 2

Admission of Attorneys.

Ordered now, N. H. Swayne Esq. and move the Court that N. C. Stevens be admitted to practice in the Supreme Court of the District of Delaware. The motion being this day considered by the Court the same is allowed and the said N. C. Stevens is declared admitted to practice in the Courts of the United States within and for the District of Oklahoma.

376 J. P. Richardson Administrator of the Estate of David Richardson deceased.
vs.
Andrew Pickens, Jr.

The above cause coming on at this time to be heard on the motion and the intervenance to make it necessary, and it is hereby set aside.

113 L. M. Priddy
vs.
Ozark Railway Co.

114. David L. Mercantile
vs.
Choctaw Railway Co.

The attorneys in above entitled causes are hereby given three days time in which to file additional pleadings in said causes.

385. [illegible]
vs.
[illegible]

[illegible] case was at this time called up by counsel for plaintiff in error & dismissed by consent. [illegible] court being duly advised etc.

386. [illegible]
vs.
[illegible]

[illegible] case was at this time argued and submitted

387. [illegible]
vs.
[illegible]

[illegible] case was at this time argued and submitted

388. [illegible]
vs.
[illegible]

[illegible] case was at this time committed upon the record and brief.

389. [illegible]
vs.
[illegible]

[illegible] case was at this time argued and submitted

390. [illegible]
vs.
[illegible]

[illegible] case was at this time committed upon the record and brief.

391. [illegible]
vs.
[illegible]

[illegible] case was at this time committed upon the record and brief.

340. [illegible]

[illegible]

[illegible]

[illegible]

341 [illegible]

[illegible]

[illegible]

342. [illegible]

[illegible]

[illegible]

343 [illegible]

[illegible]

[illegible]

344. [illegible]

[illegible]

[illegible]

345 [illegible]

[illegible]

[illegible]

303 [illegible]

[illegible]

[illegible]

328 [illegible]

[illegible]

[illegible]

[illegible]

United States of America
District of Oklahoma.

Be it Remembered that on this the 22nd day of January, in the year of our Lord, one thousand nine hundred and twenty-six, the following order of the District Court of the United States of Oklahoma, was made and entered of record in the above entitled cause, to-wit:

Court Met. Pursuant to adjournment. Court convened at 10 A.M. Present the Hon. Edgar S. Vaught, Judge presiding and Jno. A. Taylor, Court Clerk.

Public proclamation of the opening of Court having been made by the Court, the following proceedings were had and entered of record.

In re
Admission of Attorneys.

Comes now W. A. Veeter, Esq. and moves the Court that Walter Buckner of the Tulsa Bar be admitted to practice in the Superior Court of the District of Oklahoma. The required oath having been administered to Justice Vaught the said Walter Buckner was admitted to practice in the Federal and Superior Courts of the District of Oklahoma.

415 U. S. Bonner
vs.
C. R. McFarland, Sheriff

416 United States
vs.
C. R. McFarland, Sheriff

The above cause now at this time coming on for submission and the cause was submitted upon oral argument and the record.

And thereupon by order of this Court proclamation having been made by the Court it adjourned until tomorrow 9:30 o'clock A. M.

United States of America
Territory of Oklahoma

Be it Remembered that on this the twentieth day of January in the year of our Lord one thousand eight hundred and ninety-six the Supreme Court of the Territory of Oklahoma met in the City of Guthrie. The above date being one of the regular judicial days of the January term of said Court.

Present Hon. Frank Dale Chief Justice. Hons. John H. Burford, A. G. C. Bierer and John L. McAtee, Associate Justices. Hon. C. R. Brooks U.S. Attorney. Hon. E. D. Nix U.S. Marshal. Edgar W. Jones, Clerk and W. L. Taylor Court Crier.

Public proclamation of the opening of Court having been made by the Crier the following business was had and done.

[illegible] J. H. Warner
vs.
C. H. DeFord Sheriff

[illegible] Robert Belford,
vs.
C. H. DeFord Sheriff

The above causes having come on for decision upon an application for supersedeas and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the application be and the same is in all things denied. The order of supersedeas granted by one Justice thereof is hereby vacated and set aside.

The opinion of the Court was delivered by Justice Bierer all concurring except Justice Burford. Justice Scott having presided in the Court below not sitting.

323 Tom Jones
vs.
Territory of Oklahoma

The above cause having come on for decision upon a motion to dismiss and the Court being duly advised in the premises. It is therefore held, ordered and adjudged that the said motion be and the same is hereby overruled.

The cause was thereupon submitted upon the record and briefs.

343 [illegible]
vs.
[illegible]

[illegible]

[illegible]

378 [illegible]
vs.
[illegible]

[illegible]

364. [illegible]
vs.
County Commissioners
of Ray County.

This cause coming on for hearing on motion to dismiss and motion to strike out petition and bill of exceptions and the court being fully advised in the premises doth overrule said motion to dismiss and motion to strike out petition and bill of exceptions.

401 Washington-Miller Lumber Co
vs.
[illegible] et al.

This cause coming on for hearing on motion to dismiss and the court being fully advised in the premises doth overrule said motion to dismiss and the same is in all things confirmed.

In re.
Petition account of United
State Commissioner Fees
for the Western District of Missouri.

At a State Term of the Supreme Court of the United States within and for the District of Oklahoma Territory, begun and held at the City of Guthrie on the Seventeenth day of January A. D. eighteen Hundred and seventy nine

Present the Honorable Frank Dale Chief Justice, Silas Lam Payne Associate Justice and James R. Matthews Associate Justice, Rees E. Harper, U. S. Attorney, Edgar Ainsworth Clerk, and H. B. Carter Court Crier.

Among the proceedings had were the following to-wit

Thereupon A. J. Peters a commissioner of the District Court of the United States for the Fifth District of Oklahoma Territory sitting at Enid presented to the Court an account of his fees as such commissioner from the 20th day of September 1878 to the 3rd day of December 1878 and in the presence of the said District Attorney of the United States and upon oath made to the satisfaction of the Court that the services therein charged for have been actually rendered as stated and according to law

It is therefore ordered that said account amounting to the sum of One Hundred fifteen dollars and Eighty cents be and the same is hereby approved.

Frank Dale
Chief Justice.

Filed
Jan. 17th 1879
Clerks
U. S. Court

At a State begun and held at the Department of the United States within and for the District of Oklahoma Territory, begun and held at the City of Guthrie on the Seventeenth day of January A. D. eighteen hundred and seventy-nine.

Present the Honorable Frank Dale Chief Justice, Silas Lam Payne Associate Justice, Rees E. Harper U. S. Attorney, Edgar Ainsworth Clerk and H. B. Carter Court Crier.

Among the proceedings had were the following to-wit;

Thereupon A. J. Peters a commissioner of the District Court of the United States for the Fifth District of Oklahoma Territory, sitting at Enid has presented to the Court an account of his fees as such commissioner from the 3rd day of October 1878 to the 31st day of December 1878 inclusive and the United States Attorney of the United States who is sworn for said District, has stated upon the

that no [illegible] therein charged for have been [illegible] and necessarily performed as therein stated and the same appearing reasonable and according to law.

It is therefore ordered that said account amounting to the sum of [illegible] be and the same is hereby approved.

Frank Dale
Chief Justice.

In re
Allowing Accounts of
Hiram E. Harris U.S. Commissioner in and for the
Fifth Judicial District

At a stated term of the Supreme Court of the United States within and for the District of Oklahoma T[illegible] begun and held in the City of Guthrie on the Seventeenth day of January A.D. eighteen hundred and ninety six.

Present the Honorable Frank Dale Chief Justice presiding, John H. Burford, A. G. C. Bierer and J. H. [illegible] Associate Justices, [illegible] U.S. Attorney, [illegible] U.S. Marshal, Edgar W. Jones Clerk and [illegible] Court Crier.

Among the proceedings had were the following to wit:

Whereas Hiram E. Harris a commissioner of the United States Court of the United States for the Fifth District of Oklahoma Territory residing at [illegible] has presented to the Court an account of his fees as such commissioner for the following matters [illegible] to the 1st day of January 1896, and on the motion of C. R. Brooks the District Attorney of the United States in and for said district has shown on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and the same appearing reasonable and according to law.

It is therefore ordered that said account, amounting to the sum of Eleven Dollars and Ten cents be and the same is hereby approved.

Frank Dale
Chief Justice.

And thereupon by order of the Court proclamation having been made by the Crier, Court was adjourned until January 18th at 10 o'clock A.M.

United States of America
Territory of Oklahoma.

It is ordered that on this the Eighteenth day of November A.D. 1907 a regular term of the District Court of the County of Oklahoma and for the City of Guthrie, the above date being one of the regular judicial days of the January term of said Court

Present Hon. Frank Dale Judge Presiding Hon. Lyon Mc. Burr and John L. Wilson Jr. Assistant Attorneys, Geo. E. Nichols U.S. Attorney, Geo. E. Nichols U.S. Marshal, Edward M. Brown Clerk and W. A. Taylor Court Clerk

Whereupon the following proceedings were had and done:-

In re:

Setting Date for Holding Terms of the District Court and for the Fourth Judicial District

It is ordered by the Court that the terms of the District Court in the Fourth Judicial District shall be and are fixed as follows:

At Perry in Noble County, commencing on the First Monday in April and the Second Monday in November of each year.

At Ponca City in Kay County, commencing on the First Monday in January and the Second Monday in August of each year.

At Enid in Garfield County, commencing on the Third Tuesday in March and the Third Tuesday in October of each year.

At Sayre in Beaver County, commencing on the Third Wednesday in May and the Second Wednesday in September of each year.

It is further ordered that all orders heretofore made in conflict with the same are herewith vacated and set aside. It is further ordered that all cases at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for in this order.

All writs, writs and summons of any character returnable to the terms of court as heretofore fixed shall be returnable to the terms of such as heretofore fixed shall be returnable and stand for determination at the terms as provided in this order. And for all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the terms as given in this order in the County in which the same is required to appear by such bond or recognizance.

It is further ordered that the Clerk of this Supreme Court send a certified copy of this order to the Clerk of the District Court of the above mentioned Counties.

In re
Petition for admission
of the District Court
in the Fifth Judicial District

It is ordered by the Court that a term of District Court
be held at Enid in Garfield County, commencing on the first
Monday in January - 1912.

It is further ordered that all writs, recognizances
with the above are hereunto annexed, be and the same
ordered that all issues of fact and of law joined for trial at
terms heretofore fixed shall stand for trial at the
the terms provided for in this order.

All writs, writs and summons issued for any terms of
the terms of Court as heretofore fixed shall be returnable
stand for determination at the terms provided in this
And all persons under bond or recognizance to appear at any terms
of Court as heretofore fixed, shall be required to appear on the
first day of the terms as fixed in this order and the county in
which he may be required to appear in such bond or recognizance.

It is further ordered that the Clerk of the District Court
a certified copy of this order to the Clerk of the District Court of
Garfield County.

In re
Admission of Attorneys.

Court now in session and the
the admission of G. W. Lindsey to practice in the Supreme Court of the
State of Oklahoma. The Executive with the recommend-
ation of favorable work, the applicant was duly admitted
to practice in the Supreme and Superior Courts of the State of
Oklahoma.

77 Appearance
In re Petitioner

The above cause coming on for hearing upon the petition
a motion for leave to withdraw, and it appearing to the Court
fully advised in the premises. It is therefore ordered
and adjudged that the said motion be and the same is
and the petitioner permitted to withdraw.

1[illegible] [illegible]
[illegible]
[illegible]

The above cause having come on for decision upon motion for order and allowance, and the Court being duly advised in the premises. It is therefore ordered and adjudged that the said motion be and the same is in all things overruled with costs.

[illegible]
[illegible]
[illegible]

The above cause having come on for decision upon motion for order and allowance, and the Court being duly advised in the premises. It is therefore ordered and adjudged that the said motion be and the same is in all things overruled with costs.

[illegible]
[illegible]
[illegible]

The above cause having come on for decision upon motion for order and allowance, and the Court being duly advised in the premises. It is therefore ordered and adjudged that the said motion be and the same is in all things overruled with costs.

[illegible]
[illegible]
[illegible]

The above cause having come on for decision upon motion for order and allowance, and the Court being duly advised in the premises. It is therefore ordered and adjudged that the said motion be and the same is in all things overruled with costs.

[illegible]
[illegible]
[illegible]

The above cause having come on for decision upon motion for order and allowance, and the Court being duly advised in the premises. It is therefore ordered and adjudged that the said motion be and the same is in all things overruled with costs.

[illegible] [illegible]

vs.

Eliza Jane [illegible]

The above cause having [illegible] a motion for review [illegible] the Court being fully advised in the premises. [illegible] ordered and adjudged that the [illegible] with costs.

[illegible]4 E. J. Kelly

vs.

W. J. Seay.

The above cause having [illegible] motion for review and [illegible] until the Court being fully advised in the [illegible] considered, ordered and adjudged that [illegible] the cause be in all things denied with costs.

[illegible] Thomas W. McMahan

vs.

C. P. Bradley.

The above cause having [illegible] a motion for review and rehearing and the Court being fully advised in the premises. It is therefore ordered and adjudged that [illegible] motion be denied with costs.

333. [illegible] [illegible]

vs.

Edward R. [illegible] et al.

The above cause [illegible] a motion to dismiss and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the said motion [illegible] and the cause is hereby dismissed with costs.

[illegible] H. P. [illegible] et al.

vs.

[illegible] et al.

The above cause [illegible] for decision upon

[illegible] to reinstate and the Court being duly advised in the premises: It is therefore considered ordered and adjudged that the said motion be, and the same is hereby denied.

187 [illegible]

vs

Spencer et al.

The above cause having come on for decision upon a motion to reinstate and the Court being fully advised in the premises, It is therefore considered ordered and adjudged that the said motion be and the same is hereby denied with costs.

320 James A. Morris

vs

E. P. Berry

The above cause having come on for decision upon a motion to quash the service and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the said motion be overruled. It is also by the Court held that the supreme Court has no original jurisdiction in quo warranto proceedings. (Opinion to be prepared in writing later on)
Fifteen days time given petitioner to file brief and ten days given defendant in which to file reply brief.

3[illegible] [illegible]

vs

[illegible]

The above cause having come on for decision upon a motion to dismiss the appeal and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the said motion be and the same is hereby sustained.

400 [illegible]

vs

Mary E. Easton.

The above cause having come on for decision upon motion to dismiss and the Court being fully advised in the premises. It is therefore considered ordered and

adjudged and decreed
reversed.

United States of America
Territory of Oklahoma

Be it Remembered that on this the Tenth day of February in the year of our Lord one thousand eight hundred and ninety-six, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie pursuant to adjournment. The same being one of the regular judicial days of the January Term of said Court.

There were present Hon. Frank Dale Chief Justice, Hon. John H. Burford and A. G. C. Keen, Associate Justices, Jno. A. Brooks, U. S. Attorney, Hon E. D. Nichols U. S. Marshal, Edgar Hayes Clerk and H. L. Taylor, Court Crier.

Public Proclamation of the opening of Court having been made by the Crier, the following minute was had and done:

186 Truex, et. al.
vs.
Farrell, et. al

The above cause having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said cause be and the same is hereby dismissed with costs to Appellants.

And thereupon by order of the Court, proclamation having been made by the Crier, the Court was adjourned to February 11th, 1896 at 10 o'clock, A. M.

United States of America.
Eastern District of Oklahoma

Be it Remembered that on this the Eleventh day of February, in the year of our Lord one thousand eight hundred and ninety-six, the Supreme Court of the District of Oklahoma sitting at the City of Guthrie. The Hon. Isaac Parker, Chief Justice, Hon. Frank Dale, Associate Justice, Hon. H. Burford, Marcus D. Scott and A. J. Brewer Associate Justices; Hon. J. H. Brooks, U. S. Attorney, Hon. E. C. Hee, U. S. Marshal, Edgar M. Green Clerk, and W. A. Taylor, Court Crier.

Among proceedings of the Morning Session of Court among said were made by the Court, the following business was had and done:

3 Kelly-Tomlinson Mercantile Co.
vs.
William H. Todd, et al.

Permission is given the Appellants in which to file an additional authority.

97 Tootle, Hosier & Miller
vs.
P. L. Emmons.

The Attorneys in the above entitled cause are hereby given until the 7th inst. in which to file reply brief in said cause.

In the matter of the application of : Journal Entry.
J. H. Byrnes and Robert Belford for :
a Writ of Habeas Corpus.

And now to-wit, on this 11th day of February, A. D. 1896, this cause coming on for hearing before the Court upon its merits.

The Respondent, W. H. Dyford, being present by his Attorney, H. L. Hoyle, and the petitioners being neither present in person nor by Attorney. Thereupon the Respondent asks that the bonds of the Petitioners J. H. Byrnes and Robert Belford, heretofore given for their appearance in this Court be declared forfeited.

Thereupon said J. H. Byrnes is three times called and answers not and the Sureties, Anna L. Emmons and John R. Blair are three times called and ordered to bring the body of J. H. Byrnes before the Court, and answer their recognizance. And being so called the said J. H. Byrnes, Anna L. Emmons and John R. Blair appeared not but made default.

Thereupon came the [illegible] and by the Court declared [illegible] and ordered into the possession, the [illegible] and delivered him to the Sheriff of Sussex

Thereupon Robert Belford was then here called and the [illegible] and ordered to keep the [illegible] and pay the [illegible]. Said [illegible] called said Robert Belford, who [illegible] and [illegible] appeared not, but made default and [illegible] was declared by the Court to be forfeited.

And C. H. DeFord [illegible] was ordered to take said Robert Belford into his custody and [illegible] to be [illegible] of the Governor of the State of Sussex.

The application of the Petitioners for [illegible] was by the Court denied and said Petitioners remanded to the custody of said C. H. DeFord.

It was further ordered and adjudged by the Court that the said Petitioners, J. H. Byrne and Robert Belford pay the costs accruing in this matter taxed at [illegible] Dollars; that judgment be entered and [illegible] issued therefor.

Francis Dale
Chief Justice.

And thereupon, by order of Court proclamation having been made by the Crier, the Court was adjourned to [illegible] of 18th 1896, at 10 o'clock A. M.

the United States Court of the District of Montana, sitting
within the County of the United States Court House
Building

Present Hon. Francis Dale Chief Justice, Hon. Frank H. Woods
U. S. District Judge, Hon. Hiram Knowles U. S. District Judge.

Court being duly opened for the usual transaction of business
in accordance with the Order for this the 18th day of January
A. D. 1915, the following cause coming on for hearing and
argument, to-wit

United States of America, Plaintiff, vs. The Great Falls
Water Power & Townsite Company, a corporation, Defendant.
Equity No. 1-C. Now on this day this cause coming on for
hearing upon the motion of the plaintiff for an order
confirming the report of the Master herein filed December 3rd, 1914.
And it appearing to the Court that due notice of said motion
has been given as required by the rules of this Court and
the Master's report having been duly considered,

It is Ordered, Adjudged and Decreed that the said report
be and the same is hereby confirmed.

Francis Dale
Chief Justice.

United States Supreme
Court of Alabama

[illegible]

184. J. M. Baron
vs.
Mary Catt.

The above cause having come on for final determination, and the Court being fully advised in the premises, it is therefore considered, ordered and adjudged that the decree of the lower Court be and the same is in all things affirmed with costs to Appellee.

Opinion by Dowdell, J. All the Justices concur except Haralson, J. not sitting.

205 W. M. Irwin,
vs.
R. E. Walling

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the decree of the lower Court be and the same is in all things affirmed with costs to Appellee.

Opinion by Dowdell, J. All the Justices concur except Haralson, J. not sitting.

251. N. G. Snyder
vs.
Gulf Brewing Co.

[illegible]

[illegible]

294 [illegible]

[illegible]

[illegible]

[illegible]

294. [illegible]

[illegible]

[illegible]

294. [illegible]

[illegible]

[illegible]

294. [illegible]

[illegible]

[illegible]

294. [illegible]

[illegible]

[illegible]

[illegible]

221 [illegible]

[illegible]

[illegible]

[illegible]

222 Andrew J. Davis

vs.

Francis M. [illegible]

[illegible]

223 Andrew J. Davis

vs.

Francis M. [illegible]

[illegible]

224 Andrew J. Davis

vs.

Francis M. [illegible]

[illegible]

225 Andrew J. Davis

vs.

Francis M. [illegible]

[illegible]

226 Andrew J. Davis

vs.

Francis M. [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

This cause came [illegible] for final determination [illegible] the court [illegible] the record. It is therefore considered [illegible] that the decree be reversed with costs & appellee.

Opinion by Durant J. Justice dent and Mettle concurring. Date 6 J. January 1902 Cause taken from Jasper & remanded with costs.

[illegible]

[illegible]

This cause coming on for final determination [illegible] the record. It is therefore considered that the decree be reversed with costs to appellee.

Opinion by Durant J. Justice dent and Mettle concurring. Date 6 J. January 1902 Cause taken from Jasper & remanded with costs.

[illegible]

[illegible]

This cause coming on for final determination [illegible] the record. It is therefore considered that the decree be reversed with costs to appellee.

Opinion by Durant J. Justice dent and Mettle concurring. Date 6 J. January 1902 Cause taken from Jasper & remanded with costs.

[illegible]

[illegible]

This cause coming on for final determination.

[illegible]

250. [illegible]

[illegible]

[illegible]

251. [illegible]

[illegible]

252. [illegible]

[illegible]

253. [illegible]

[illegible]

and a new trial ordered. And it is further ordered that the Clerk issue a mandate to the Warden of the Territorial Prison directing him to deliver the prisoner to the Sheriff of Woodward County, and transmit same to the Sheriff of said County; and that said Sheriff retain said prisoner in custody until discharged by due process of law or the further order of the District Court.

Dissenting Burford, J. All the Justices concurring except Williams, J. not sitting, having presided at trial below.

427. James E. Nigro
vs.
James Lobitz.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the demurrer to the petition

Dissent by Burford, J. All the Justices concurring.

428. City of Tulsa
vs.
H. O. Warner.

The above cause having come on for final decision upon a motion for review, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be and the same is hereby denied

17 [illegible]

v.

[illegible]

[illegible] this cause coming on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be and the same is hereby dismissed at the cost of Appellant.

Opinion by Scott, Sr. Justice concurring except Nix, J. not sitting, having been [illegible]

313 Brown and Duncan

v.

C. & O. Rwy.

This cause coming on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be and the same is hereby dismissed at the cost of Appellant.

Opinion by Scott, Sr. Justice concurring except Nix, J. not sitting, having been [illegible]

278 Geo. Higginbotham

v.

Johnnie Entright

This cause coming on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said cause be and the same is hereby dismissed at the cost of Appellant.

Opinion by Scott, Sr. Justice concurring except Nix, J. not sitting, having been [illegible]

279 [illegible]

v.

[illegible]

This cause coming on for final decision, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said cause be and the

dance in turn. Dismissed at the cost of Appellant.
Opinion by Scott, J. All the Justices concurring except Hall, not sitting, having presided below.

24. Pierce v. Austin, et al
v.
J. H. Baker & Co. et al

The above cause having come on for final determination and the Court being fully advised in the premises it is the opinion, ordered and adjudged that the same be affirmed at the cost of Plaintiff in Error.
Opinion by Scott, J. Burford C. having presided below, not sitting; Justices Eicher and McCabe dissenting.

25. Jones Bros.
v.
Mortgage and Pilen.

The above cause having come on for final determination on the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the same be reversed, at the cost of Appellee.
Opinion by Scott, J. all the Justices concurring except Dale, C. J. not sitting, having presided at trial Judge.

27. City of Guthrie
v.
Bank of New Vienna

The above cause having come on for final determination and the Court being fully advised in the premises It is therefore considered and adjudged that Petition for rehearing be denied.
Opinion by Scott, J. All the Justices concurring.

227 Henry M. Shumaker,
vs
Territory of Oklahoma

The above cause having come on for final determination and the Court being fully advised in the premises it is therefore ordered and adjudged that this cause be dismissed
Opinion by Burr, J. All the Justices concurring except Mc Atee, J. Hainer, Pro Tem not sitting.

228 William A. Holt
vs
Territory of Oklahoma.

The above cause having come on for final determination and the Court being fully advised in the premises it is therefore ordered, adjudged and adjudged that this cause be dismissed and remanded for further proceedings. All the Justices concurring except Mc Atee, J. Hainer, Pro Tem not sitting.

229 Bruce Martin.
vs
Territory of Oklahoma.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore ordered and adjudged that the cause be dismissed at the cost of Appellant
Opinion by Burr, J. All the Justices concurring except Mc Atee, J. not sitting.

230 Samuel Murphy, et al
vs.
Henry Bolton, et al

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be dismissed, at the cost of Appellees
Opinion by Burr, J. All the Justices concurring except Mc Atee, J. not sitting, Hainer presided Pro Tem

273. L. J. Cummings
vs.
J. H. Mc Rae Lumber.

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the same be reversed at the cost of Defendant in Error

Opinion by Bierer, J. All the Justices concurring except Dale, C. J. not sitting having presided below.

280. L. C. Lilly,
vs.
Russell & Co.

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered, and adjudged that the same be reversed and a new trial granted at the costs of the Defendant in Error

Opinion by Bierer, J. All the Justices concurring except Dale, C. J. not sitting.

163. F. M. Polen
vs.
Bob Burrell, et al.

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said cause be and the same is hereby dismissed.

Opinion by Watt, J. All the Justices concurring. Dale, C. J. having tried the case below not sitting.

Brown & Smith, et al
vs.
Simon Wheeler.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the same be in all things affirmed with costs to Appellant.

Opinion by Bierer, J. All the Justices concurring except Burford not sitting, having presided as trial Judge

2:16 Luigi Freda v Steven Lee Stark Commissioner of Public Safety et al

The above cause coming upon for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be and the same is hereby dismissed at the cost of Plaintiff in error

Opinion by Lavender, J. All the Justices concurring except Barnard, J. having presided as trial judge, not sitting.

2:2 John H. Setzer v Territory of Oklahoma.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be and the same is hereby dismissed with costs to the plaintiff in error.

Opinion by Lavender, J. All the Justices concurring except Barnard, J. not sitting.

29. City of Kingfisher v Helen L. Pratt.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be and the same is hereby dismissed at the cost of the plaintiff in error.

Opinion by Lavender, J. All the Justices concurring except Barnard, J. having presided as trial judge, not sitting.

2:?- Jesse Lee v L. F. Harris.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be and the same is hereby dismissed.

Opinion by Lavender, J. All the Justices concurring.

294. Cunningham, Administrator
vs.
Thomas G. Phillips.

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the same be reversed at the cost of Appellee.

Opinion by McAtee, C. Justices Scott and Burford concurring. Dale, C. J. having presided at trial Judge, and Bierer, J. having been of counsel, not sitting.

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266. C. J. Lowe
vs.
Lein and Jo. Blum

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the same be in all things affirmed at the cost of Appellant.

Opinion by McAtee, J. Justices Scott and Burford concurring. Dale, C. J. having presided as trial Judge, and Bierer, J. having been of counsel, not sitting.

[illegible] Fire vs. Rogers et al.
vs.
H. J. Wimsett et al.

The above cause coming on for final hearing and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the motion for rehearing be denied and the judgment of the lower court affirmed.

Opinion by McAtee, J. All the Justices concurring.

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288. R. Blankenship, Receiver, et al
vs.
The Oklahoma City Light and Water Power Co. et al.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore held, ordered and adjudged that the same be reversed and remanded to the District Court, with directions to grant a new trial.

Opinion by McAtee, J. All the Justices concurring, except Scott, J. who sat in the case below

311 Exist v. Dec. 24, 22

vs.

Exist J. Williams

The above cause coming on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be and the same is affirmed.

Opinion by McNeill, J. All the Justices concurring except Bayless, J. having acted as trial Judge not sitting.

935 W. G. Williams, et al

vs.

Samuel Straus.

The above cause coming on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be and the same is affirmed.

Opinion by McNeill, J. All the Justices concurring except Bayless, J. having acted as trial Judge not sitting.

In Re

Motion to affirm judgment below
in case of The Territory of Oklahoma
vs J. C. Dean

The above motion having been presented to the Court for action and consideration, and the Court being fully advised in the premises.

It is therefore ordered and adjudged that the said motion be not considered for the reason that no appeal has been perfected to the Supreme Court, in the said above entitled cause.

206. L. C. Grimes

vs.

J. C. Cullison.

The above cause having come on for decision upon a motion for rehearing and review, and the Court being fully advised in the premises. It is therefore considered and adjudged that the said motion be and the same is in all things denied.

All the Justices concurring.

Rules of Practice as amended and adopted by the Supreme Court, on February 13, 1896.

XII Application for a rehearing in any cause shall be made by petition to the Court, signed by counsel, briefly stating the grounds for a rehearing and the authority relied on in support thereof. No application for a rehearing of any cause shall be by petition, signed by counsel, particularly setting forth the grounds thereof, and showing either that some decision decisive of the case and duly submitted to counsel has been overlooked by the Court, or that the decision is in conflict with some statute or controlling decision to which the attention of the Court was not called, either in brief or oral argument, or which has been overlooked by the court, and the question, statute or decision so overlooked must be distinctly and particularly set forth in the petition. Such petition must be filed within twenty days from date of the decision, and a copy thereof must be served on the opposite party. No argument or brief will be allowed on the petition, but if the application is granted the case will be assigned for rehearing, and such time given for argument or brief as the court may allow. When a rehearing is granted, notice shall be given to the opposite party of the time when such rehearing will be had, and one-half hour only shall be allowed counsel for argument upon an application for rehearing.

XIIb. The opinions of the Court shall not be given out for publication until the time for filing a motion for rehearing has expired, and if filed, not until the motion for rehearing has been disposed of, and if the opinion of the court is overruled, only the final opinion shall be published.

[illegible]

It is ordered that on the 1st day of February, A.D. 1915, the [illegible] the Court of Claims, [illegible] the Court [illegible] days of the January term of said Court

There were present Hon. Frank Rose, Chief Justice, Hon. H. Burford, Henry H. Scott, Associate Justices, Hon. E. B. Kirk, Attorney General, Hon. E. N. Dix, U.S. Attorney, Hon. Edward Lucas, Clerk, and H. A. Taylor, Court Crier.

Public Proclamation of the opening of Court having been made the following among other business was had and done:-

In Re,

Setting dates for holding terms of the District Court in the First Judicial District.

It is ordered by the Court that terms of Court be begun and held in the several Counties of the First Judicial District, as follows:

At Watonga, in Blaine County on the Third Tuesday in March.
At Taloga, in D. County, on the Fifth Monday in March.
At Arapaho, in G. County, on the Fifth Monday in April
At Enid, in Garfield County, on the Second Monday in April
At Clinton, in Custer County, on the Third Monday in April

In Re,

Setting dates for holding terms of the District Court in the Second Judicial District.

It is ordered by the Court that terms of Court be begun and held in the several Counties of the Second Judicial District, as follows:

At Shawnee City, Pottawatomie County, February Twenty-fourth.
At Norman, Cleveland County, March Fourth.
At Tecumseh, Pottawatomie County, May Eighteenth.

[illegible]

Setting time for holding terms of the District Court in the Fifth Judicial District

[illegible] the Fifth judicial district [illegible]

At Enid, Garfield County, January twenty-fourth.
At Kingfisher, Kingfisher County, March twenty-fourth.
At Pond Creek, Grant County, April twenty-fifth.
At Enid, Garfield County, May Eleventh.

It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for by this order. And all orders with reference to any character returnable to the terms of court heretofore fixed shall be returnable and time for determination at the terms as provided for in this order. And all bonds under bail or recognizance to appear at any term of court heretofore fixed shall be required to appear on the first day of the terms of Court as fixed in this order in the same manner and with the same effect required to appear by such bond or recognizance.

And it is further ordered that the Clerk of the District Court send a certified copy of this order to the Clerk of the District Court of said counties.

[illegible]

Attaching Judicial Territory to the Fifth Judicial District

It is ordered by the Court that the County of Woods be and the same is hereby attached to the Fifth Judicial District of Oklahoma for judicial purposes.

It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered by the Court that the Clerk of this Court notify the Clerk of Woods County of this order by sending him a certified copy of the same.

It is further ordered that the U. S. District Clerk of the Fifth Judicial District receive notice in like manner.

[illegible]

Succeeding term for holding District Court in Day and Roger Mills Counties

It is ordered by the Court that the terms of Court in the Second Judicial District for Day and Roger Mills Counties, to be begun and held on the month of April, 1911, be and the same are hereby abolished. And all causes standing for trial at said terms, and all writs, precepts, bonds,

recognizances and process returnable to said term shall be returnable to the fall terms of said Court in said County the same as if the same had been regularly made returnable at said fall terms.

And all persons recognized to appear at such April term shall be and appear at said Court on the first day of the fall terms thereof.

And the Clerk of this Court is ordered to attach copy of this order to the Book of the Docket of said Court and the County Book, and County Attorney of each of said counties.

United States of America
Eastern District of Oklahoma

Be it Remembered that on this the fourteenth day of February in the year of our Lord one thousand eight hundred and ninety one the Supreme Court of the Territory of Oklahoma met at the city of Guthrie pursuant to adjournment. The above date being one of the regular judicial days of the January term of said Court.

There were present Hon. Frank Dale Chief Justice, Hon. C. B. Burke U. S. Attorney, Hon. S. D. Pitz U. S. Marshal Sigler Interpreter, Clerk, U. S. Commissioners Court open.

There being no business Court was adjourned subject to the call of the Chief Justice.

[illegible] the [illegible] of the [illegible]

[illegible] the [illegible]
[illegible] the [illegible]
County [illegible]

Whereas it is made to appear to me from the petition of the defendant Frank Dale, that [illegible] the [illegible] of Oklahoma [illegible] the [illegible] of [illegible] and that [illegible] the [illegible] of Oklahoma to hold the said [illegible] at [illegible] on the [illegible] of March, A.D. 1911, and that [illegible] be [illegible] to transcribe and all [illegible] that may [illegible] for hearing before such Court, and to [illegible] the [illegible] of said Court in all cause coming on to be heard, as fully and to the same effect as the presiding Judge of said court could do if he were present; and to [illegible] the Judge of said court during his absence from said county and district of said Frank Dale.

Witness my hand at Chambers in Guthrie, Oklahoma this the 6th day of March 1911.

[illegible]
Chief Justice of the Supreme
Court of Oklahoma.

Attest.
[illegible]
Clerk.
[illegible]
Deputy.

In the Supreme Court

In the matter of the application of a judge to hear and determine a cause pending in the Dist. Court of Oklahoma County.

Whereas, it [illegible] to appear to me that in a cause pending in Oklahoma County, wherein [illegible] is plaintiff and [illegible] is defendant, the regular [illegible] of the District Court, has [illegible] a change of Judge and that another Judge should be appointed to hear and determine said cause.

Now therefore, I Frank Dale, Chief Justice of the Supreme Court do hereby assign and appoint Hon. Lincoln McAtee, Judge of the Fifth Judicial District to hear and determine said cause.

Witness my hand this 28th day of March, A.D. 1890.

Frank Dale
Chief Justice of the Supreme Court

Attest:
Edgar M. Jones —
Clerk Supreme Court
Seal

In the Supreme Court

In the matter of the assignment of a Judge to hear and determine a cause pending in the District Court of Logan County, Oklahoma Territory.

Whereas it being made to appear to me that in the cause pending in Logan County, wherein William Murray is plaintiff and Albert M. McKenzie and William Skaggs are defendants, Hon. Frank Dale, Judge of the District Court, within and for said County and Territory, has granted a change of judge and that no other Judge thereof is appointed to hear and determine said cause.

Now therefore, I Frank Dale, Chief Justice of the Supreme Court of said Territory, do hereby assign and appoint Hon. Henry M. Scott, Judge of the Third Judicial District to hear and determine said cause, and all the applications, motions and proceedings which may be made or taken by any party thereto.

Witness my hand this 3rd day of February, A.D., 1890.

Frank Dale.
Chief Justice of the Supreme Court

Attest:
Edgar M. Jones —
Clerk Supreme Court
Seal

United States of America
Territory of Oklahoma

Be it Remembered that on this the thirtieth day of March in the year of our Lord one thousand eight hundred and ninety-six the Supreme Court of the Territory of Oklahoma met in the City of Guthrie, pursuant to adjournment the same last being one of the regular days of the September term of said Court

There were present Hon. Frank Dale Chief Justice, Hon. Harrison H. Left, and H. G. Burford Associate Justices. Hon. C. W. Brewer U. S. Attorney. Hon. P. L. Nagle U. S Marshal. Edgar M Lewis Clerk and H. A. Taylor, Court Crier.

Public Proclamation of the opening of court having been made by the Crier, the following business was had and done:-

In Re,

Order attaching Greer County to the Third Judicial Distruct for Judicial purposes

Now, to wit, this the thirtieth day of March, A.D. 1896 at a session of the Supreme Court sitting at Guthrie Oklahoma came on to be considered the matter of attaching to one of the Judicial Districts of said Territory, all that portion of said Territory lying between the North and South Fork of the Red River where the Territory of Oklahoma and the State of Texas adjoin east of the one hundredth degree of longitude and which said land is commonly known as Greer County, and it appearing to the Court that the controversy heretofore existing between the United States and the State of Texas as to the ownership of said land has been finally adjudicated, and said land duly granted to the United States; and it further appearing that by the provisions of Section Twenty five, of the Act of Congress approved May 2nd A.D. 1890 entitled "An Act to organize the Territory of Oklahoma - to establish courts in the Indian Territory, and for other purposes" it is provided that when the title to said land commonly known as Greer County shall have been awarded to the United States the same shall become a part of the Territory of Oklahoma.

Now Therefore, it is by the Supreme Court of the Territory of Oklahoma hereby ordered that all of the foregoing described track of land commonly known as Greer County, and the same is hereby attached to and made a part of the Third Judicial district of said Territory, and Honorable Justice Harrison H. Left, of said Third Judicial District designated to transact the business of said unorganized Territory as throughout the same as a part of said district, and the same is hereby attached to Oklahoma County, Territory of Oklahoma for Judicial purposes under the provisions of Section Nine of the Act of Congress of May 2nd, 1890.

And Thereupon in main of the Court examination having been made by the Court is adjourned until to the 2nd of this July Instt.

Territory of Oklahoma.
County of Canadian } ss

Be it Remembered that on the 22nd day of April A.D. the same being the 3rd Judicial day of the April Term of the District Court within and for the County and Territory aforesaid the following among other proceedings were had to-wit:

No 401.

Territory of Oklahoma.
vs. Indictment.
John Hudspeth. Selling liquor on election day

Comes now the defendant in person into open Court and by John Schmook his attorney, and files his affidavit for a change of venue from the Judge herein.

And it is ordered by the Court, that said change of venue from the Judge be granted, and the Clerk directed to certify this order to the clerk of the Supreme Court.

John H. Burford, Judge.

Territory of Oklahoma.
County of Canadian. ss.

I, Benj. F. Hegler, Clerk of the District Court within and for the County and Territory aforesaid hereby certify that the above and foregoing is a true full and complete copy of the order of the Court in the above entitled case as the same appears of record in my office

Witness my hand and the Seal of said Court at El Reno this April 22nd, 1896.

Benj. F Hegler, Clerk.
By E. M. Hegler, Deputy.

(Seal)

Territory of Oklahoma.
County of Canadian SS.

Be it Remembred, that on the 22nd day of April 1896. the same being the 3rd Judicial day of the April 1896 term of the District Court within and for the County and Territory aforesaid, the following among other proceedings were had, to-wit:

No. 414.

Territory of Oklahoma
vs. Indictment.
John Hudspeth Assault with dangerous weapon.

Comes now the defendant in person into open Court and by John Schmook his attorney, and files his affidavit for a change.

venue from the Judge herein.

And it is ordered by the court that said change of venue from the Judge be granted and the clerk directed to certify this order to the clerk of the Supreme Court

John H. Burford, Judge.

Territory of Oklahoma.
County of Canadian ss.

I, Benj F. Hegler, Clerk of the District Court within and for the County and Territory aforesaid hereby certify that the above and foregoing is a true full and complete copy of the order of the Court in the above entitled case as the same appears of record in my office.

Witness my hand and the Seal of said Court at El Reno, O.T. this April 22nd, 1896.

Seal

Benj. F. Hegler, Clerk.
By E.M. Hegler Deputy.

Territory of Oklahoma
County of Canadian ss

Be it Remembered that on the 22nd day of April 1896, the same being the 3rd. Judicial day of the April 1896 term of the District Court within and for the County and Territory aforesaid the following among other proceedings were had, to-wit:

No 416.

Territory of Oklahoma
vs.
John Hudspeth.

Indictment
Omitting to prosecute Gambler.

Comes now the defendant in person into open Court and by John Adcock his attorney, and files his affidavit for a change of venue from the Judge herein.

And it is ordered by the Court that said change of venue from the Judge be granted, and the clerk directed to certify this order to the Clerk of the Supreme Court.

John H. Burford, Judge

Territory of Oklahoma.
County of Canadian ss.

I, Benj. F. Hegler, Clerk of the District Court within and for the County and Territory aforesaid hereby certify that the above and foregoing is a true full and complete copy of the order of the Court in the above entitled cause as the same appears of record in my office.

Witness my hand and the Seal of said Court at El Reno, O.T. this April 22nd, 1896.

Seal

Benj F. Hegler clerk.
By E.M. Hegler, Deputy.

Territory of Oklahoma
County of Canadian ss

Be it Remembered, that on the 22nd day of April, A.D. the same being the 3rd Judicial day of the April, A.D. Term of the District Court within and for the County and Territory aforesaid, the following among other proceedings were had to-wit.

No. 335.

Territory of Oklahoma
vs.
John Hudspeth.

Indictment.
Assault with dangerous weapon.

Comes now the defendant in person, into open Court, and by John Schwoob, his attorney and files his affidavit for a change of venue from the Judge herein.

And it is ordered by the Court that said change of venue from the Judge be granted, and the clerk directed to certify this order to the Clerk of the Supreme Court.

John H. Burford, Judge.

Territory of Oklahoma.
County of Canadian ss

I, Benj. F. Hegler, Clerk of the District Court within and for the County and Territory aforesaid hereby certify that the above and foregoing is a true full and complete copy of the order of the Court in the above entitled cause as the same appears of record in my office.

Witness my hand and the seal of said Court at my office in El Reno, O.T. this April 22nd, 1916

Seal

Benj. F. Hegler Clerk
By. E. M. Hegler, Deputy

In District Court
vs.
Harry McDade.
Indictment
Larceny of Domestic Animals.

Ordered by the Court, That the former order for a change of venue herein be again certified to the Clerk of the Supreme Court

This April 22nd. 1896.

John H. Burford, Judge.

Be it Remembered that on the 27th day of December, 1895, the same being the 30th Judicial day of the November 1895 term of the District Court within and for the County of Canadian, Territory of Oklahoma the following among other proceedings were had, to-wit.

321. Territory of Oklahoma
vs.
Harry McDade.

Comes now the Territory by Thos. R. Reid, County Attorney, and comes also the defendant in person into open court in the Sheriffs custody and by E. J. Kinbern his attorney. And now comes the Territory file additional counter affidavits.

And after considering affidavits for change of venue from the county herein, and the counter affidavits of the Territory, the Court overrules the application for a change of venue herein and exception is given.

And now defendant by his counsel files his affidavits for a change of venue from the Judge.

And the Court having examined said affidavits for a change of venue from the Judge finds that said application should be allowed.

It is therefore ordered by the Court that defendants application for a change of venue herein from the Judge be allowed.

It is further ordered that the clerk transmit a certified copy of this order to the Clerk of the Supreme Court

Territory of Oklahoma,
County of Canadian ss.

I, Benj. F. Hegler, Clerk of the District Court within and for the county aforesaid in said Territory hereby certify that the above and foregoing is a true, full and complete copy of the original order made in the above entitled case as the same appears of record in my office.

Witness my hand and the seal of said court at El Reno, O.T. this April 22nd, 1896.

Benj. F. Hegler Clerk.
By E. M. Hegler Dep.

Seal.

[illegible]

Be it remembered, that on this the first day of June in the year of our Lord one thousand eight hundred and ninety the regular June term of the District Court of Oklahoma met at the city of Guthrie pursuant to adjournment. The above date being one of the regular judicial days of the June term of said Court.

There were present Hon. Frank Dale Dist. Judge Hon. J. R. Brooks U. S. Attorney Hon. Ed Kayle U. S. Marshal, Edgar M. Lee Clerk, and H. A. Taylor Court Crier.

There being no quorum present Court was adjourned by the Dist. Justice until June second at 9 o'clock A. M.

United States of America,
Territory of Oklahoma.

Be it Remembered that on this the second day of June in the year of our Lord, one thousand eight hundred and twenty-six, the Supreme Court of the Territory of Oklahoma met in the City of Guthrie. The above date being one of the regular Judicial days of the June term of said Court.

There were present Hon Frank Dale Chief Justice Hon. John H. Burford, Henry H. Scott, A. G. Bierer and Silas A. McAtee Associate Justices, Hon. C. R. Brooke, U. S. Attorney; Jno. C. Nagle U. S Marshal, Edgar M. Jones, Clerk, and H. A. Taylor, Court Crier.

Public Proclamation of the opening of court having been made by the Crier, the following business was had and done.

In Re,
Resolutions of Respect, prepared and read by Chief Justice Dale, adopted by the Court and ordered spread upon the Journal.

Per Curiam:

Now at this time it appearing that John H Burford Associate Justice of this Court is about to sever his connection with this body, and the remaining judges of said court desiring to record their appreciation of his services upon the bench, and their high personal regard of him as an individual with whom we have long sustained intimate personal and official relations. That in the retirement of Judge Burford, this Territory has lost the services of a jurist whose sole object has been to exalt justice and who has exhibited in his work upon the bench his eminent fitness for the position which he has occupied. In all the perplexing and multifarious questions coming before the court for adjudication, we have found that his conscience, intelligence and learning in the law, have greatly aided us in finding the path which leads straight to justice. Under the peculiar conditions which exist in this newly settled Territory, it is well known that very many cases arise wherein no precedents are available to aid the court in its conclusions. In all such we have relied with great confidence on the wisdom of our associate and take pleasure in awarding to him much credit for a proper determination of such cases. We know that while the records of the courts of this Territory shall last, the reputation of our associate for wisdom, courage and fidelity to the trust assumed is secure. We feel that the people generally in Oklahoma, have at all times relied upon his judicial fairness and integrity with unqualified confidence, and we say to all that such confidence has been well and properly returned. In all his acts with unfaltering hand he has penned the lines from

which the truth shines forth with radiance. No mists obscure to blind the eye. No cloud obscures to dim the light, but pure and true, as with clearness strips the mask from vice, reveals the truth, and error dies. No monument of granite stands as an instinct to perpetuate the memory of noble deeds as a record made in the performance of duty, and nothing which may be said or written of our associate, will so conspicuously set forth honor and integrity as the archives of this court. He knew no way save that of right and action and, with such unselfishness shone an truthful praise of all three qualities as most nobly demonstrate grandeur of character.

In our social relations there has been much which brings us near. Always ready for duty, ever charitable of the opinions of his associates, kindly in his sympathies, and courteous in his conduct, we feel very sensibly the void which has come to us in the retirement of our associate, but we congratulate ourselves in the knowledge that the bar of Oklahoma will ever have in our brother an ornament, and one who will do much to aid in elevating the standard of learning to that high mark so much desired by all true lovers of the profession.

We intend to our associate and friend the hearty wish that he will find in the ranks of the profession that pleasure and success for which his distinguished character and ability so amply qualify him.

In Re

Resolutions of Respect adopted by the Territorial Bar Association. It is ordered by the Court that the following resolutions be spread upon the records of this Court.

Whereas,

The Hon. John H Burford, Associate Justice of the Supreme Court of this Territory, by reason of the expiration of the term of four years, for which he was appointed, has just laid aside the Judicial Ermine retired from the Bench, and has taken a place in the ranks of the Profession, as a member of the Bar of this Territory, and,

Whereas,

We recognize in Judge Burford a man of learning, integrity, and most unblemished habits, and one who, as an official, has performed his arduous labor and duty faithfully and well, and,

Whereas,

We believe it proper, and desire to express our appreciation of such traits of character, and faithful performance of duty:-

Now Therefore,

Be it resolved by the members of the Bar Association of Oklahoma Territory:-

That we extend to Judge Burford, our hearty congratulations, on the marked success which has

attended his Judicial career and extend to him a most hearty welcome to our ranks as a distinguished member of the Bar of this Territory and wish him the same success which has crowned his Judicial career.

Be it further resolved:-

That we congratulate the Hon John C. Tarney upon his preferment as the successor of the Hon John H. Burford and extend to him a hearty welcome, as a citizen, and Associate Justice of the Supreme Court of this Territory, and wish for him the same success which has attended, and distinguished him in other fields, and that at the expiration of his term of office, we may say of, and for the Hon John H. Burford. "Well done".

Resolved:

That we ask an order of the Hon. Supreme Court of this Territory at its sitting, Saturday morning June 6th. 1896, that these resolutions be spread of record in full as a part of the proceedings of the Court on that day.

H. B. Herod,
C. A. Galbraith,
J. R. Keaton.
Committee.

Guthrie, Okla. Ter.
June 5th. A. D. 1896.

In Re.

Recording the Commission of Associate Justice Tarney. It is ordered in the Court that the Commission of Associate Justice Tarney be spread upon the records.

Grover Cleveland.
President of the United States of America,
To all to whom these presents Greeting:-
Know Ye, That reposing special trust and confidence in the wisdom uprightness and learning of John C. Tarsney, of Missouri I have nominated and by and with the advice and consent of the Senate do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and laws of the said United States and to have and to hold the said Office with all the powers, privileges and emoluments to the same appertaining unto him, the said John C. Tarsney, for the term of four years, from the date hereof, subject to the conditions and provisions prescribed by law.

In testimony whereof, I have caused these letters to be made patent, and the seal of the Department of Justice to be hereunto affixed.

(Seal) Given under my hand at the City of Washington the 7th day of May, in the year of our Lord one thousand eight hundred and ninety-six and of the Independence of the United States of America the one hundred and twentieth.

By the President.
Grover Cleveland.

Judson Harmon
Attorney General.

United States of America.
Territory of Oklahoma.

I John C. Tarsney, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of Associate Justice of the Supreme Court of the Territory of Oklahoma.

So help me God.

John C Tarsney

Subscribed and sworn to before me this 2nd day of June, 1896.
John H Burford
Associate Justice Supreme Court.

Attest:
Edgar M. Ross
Clerk Supreme Court.
(Seal.)

In re

Designation of Associate Justice assigned to the Second Judicial District

It is ordered by the Court that Honorable John C Pancoast Associate Justice of the Supreme Court of the Territory of Oklahoma be and he is hereby assigned to the Second Judicial District of said Territory.

In re

Admission of Attorneys to the Supreme Court.

Come now Jos. H Burford and B. F. Hester of the El Reno Bar, J. Partridge, and J. P. Allen, of the Oklahoma City Bar, and L. C. Bradley, of the Kingfisher Bar, and upon motion are at this time decided admitted to practice in the Superior and Inferior Courts of the Territory of Oklahoma, the oath having been administered by Associate Justice Pancoast.

In re

Naturalization of William Eckert and John Maas.

Come now William Eckert, a native of Wurtemburg, and makes application to be given full naturalization rights. He having been known to the satisfaction of the Court, by two competent witnesses and his own testimony that he is entitled to such naturalization, and the prescribed oath having been administered by the Clerk. It is therefore considered, ordered and adjudged that he be given the full rights of American citizenship.

Come now John Maas, formerly a subject of Germany, and makes application to be given full naturalization rights. He having been known to the satisfaction of the Court, by two competent witnesses, and his own testimony that he is entitled to such naturalization, and the prescribed oath having been administered by the Clerk. It is therefore considered, ordered and adjudged that he be given the full rights of American citizenship.

340. F. A. Parmenter
vs.
D. I. Cooper.

Thirty days are given Plaintiff in error to file brief in the above entitled cause; said cause continued for the term.

376. Darlington-Miller Lumber Co.
vs.
A. J. Hall.

Appellant in the above entitled cause is at this time permitted to file brief, and the cause is at this time submitted.

210. Thomas Jackson
vs.
James D. Kincaid et al.

Comes now George Gardner, of counsel for Appellee, and asks leave of the Court to file motion to affirm judgment in above entitled cause. Leave by the Court is given and motion is so filed.

406. William B. Long
vs.
J. O. Mills et al.

Comes now counsel for Appellant and asks leave to file motion to vacate judgment of this Court, and reinstate cause. Consent of the Court is given, and motion is so filed.

405. S. H. Crawford
vs.
Territory of Oklahoma.

Comes now S. H. Crawford of counsel for Appellant and asks leave to file Stipulation for Continuance. Consent of the Court is given and Stipulation is so filed.

#52 United States

vs

United States of America.

The above cause is at this time continued for the term by agreement of counsel.

3/6 W. F. Ferguson, Administrator of the Estate of Nancy Ferguson, deceased

vs

Lindsey Pickens, et al

The above cause is at this time submitted on briefs.

#01. Darlington-Miller Lumber Co.

vs

Simon Parsons, et al.

Comes now D. F. Fincher, attorney for Appellant in above entitled cause and asks leave to file motion to dismiss. Consent of the Court is given and motion is so filed.

#13. Nancy Miller

vs

Jesse J. Pool.

The above entitled cause is at this time continued for the term by agreement of counsel.

429 J. F. Fincher

vs

Territory of Oklahoma.

Comes now A H Huston, County Attorney and asks leave to file motion to dismiss in the above entitled cause. Consent of the Court is given and motion is so filed.

430. Florence A. Richardson et al.

vs.

Elisha Penny.

Comes now counsel for Appellee & asks leave to file motion to dismiss in the above entitled cause. Consent of the Court is given, and motion is so filed.

438. Wyatt L Baker
vs.
J D McMahan.

The above cause is at this time continued for the term upon agreement of counsel.

439. J F Hammond
vs.
United States of America.

Comes now U. E Brooke United State Attorney and asks leave to file motion to dismiss the above entitled cause. Consent of the Court is given and motion is so filed.

440. P J Lee.
vs.
United States of America

Comes now U. E Brooke United States Attorney and asks leave to file motion to dismiss the above entitled cause. Consent of the Court is given and motion is so filed. Objections to the consideration of appellants brief are also filed at this time by the United States Attorney.

444. Frank Daniels
vs.
United States of America.

The above cause is at this time continued for the term by agreement of counsel.

447. Frank Ivey.
vs.
Territory of Oklahoma.

The above cause was at this time argued and submitted.

432. Richard Manning.
vs.
Territory of Oklahoma.

The above cause was at this time argued and submitted.

356. Lindsay v. Southwick et al.
vs
Hale County Attorney.
vs
Al Stewart, Probate Judge.

The above cause was at this time submitted upon the record.

357. Travis v. Southwick et al.
vs
Eastman and Douglas.

The above cause is at this time submitted on briefs. Twenty days time from given Appellants to file briefs and ten days time given Appellee to file reply briefs.

367. Henry H. Bickinger
vs
J. H. Foster et al.

The above cause is at this time continued for the term by agreement of counsel.

368. A. C. & G. R. R. Co
vs
J. L. Huddleston

The above cause is at this time ordered dismissed as per stipulation filed and mandate is ordered sent to the Court below.

382. Elodia Perry
vs
Samuel Felker.

The above cause is at this time taken upon briefs.

383 John Hall
vs
Joseph H. Elliott
Justice of the Peace.

Return is at this time filed, in the above entitled cause to dismiss

Last thickness is taken as the first approximation for the next one made by the same method. Final thickness at obstacle 1.2 m.

United State of America,
Indian Territory.

Be it remembered that on this the third day of June in the year of our Lord one thousand eight hundred and ninety-six the regular term of the Territory of Oklahoma met in the City of Guthrie. The same date being one of the regular judicial days of the June term of said Court

There were present Hon. Frank Dale, Chief Justice. Hons. Henry C. Scott, A. G. Burwell, John L. McAtee and John B. Clayton, Associate Justices. Hon. C. E. Foster U. S. Attorney. Hon. P. S. Nagle, U. S. Marshal Edgar M. Lewis, Clerk and H. A. Taylor Court Crier.

There being no session of the Court having been made by the Crier the following business was had and done:

In Re
Rule adopted by the Court concerning the filing of motions.

It is hereby ordered by the Court, that all motions in cause pending in this court, must be filed at least ten days prior to the beginning of the Court term.

17. Veder v. Paine
vs.
John Foster et al

Comes now A. J. Cunningham of counsel for Appellant and asks leave to file motion for a new trial in above entitled cause. Comes the Court is given and motion is so filed.

458. Parker & Cunningham Pacific
of the National Bank of Guthrie.
vs.
The United States National Bank.

Comes now Horace Speed, of counsel for Appellee, and asks leave to file motion to dismiss the above entitled cause. Consent of the Court is given and motion is so filed.

In Re.
Application of Henry M. Shoemaker,
for Writ of Habeas Corpus.

The above cause coming on for decision upon an

application for a Writ of Habeas Corpus, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said Writ be and the same is hereby denied. All the Justices concurring.

In Re.

Application of William A Holt for Writ of Habeas Corpus

The above cause having come on for decision upon the application for a Writ of Habeas Corpus, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said Writ be and the same is hereby denied. All the Justices concurring.

317. Jacob G Fallen

vs.

P Schlosser, and the City of El Paso.

The above cause is at this time continued for the term as per stipulation.

319. William H. Mann

vs.

Charles White.

The above cause is at this time continued for the term.

355. J. J. McCook et al.

vs.

Charles H. B Bryan.

The above cause is at this time taken up briefs.

356. Moses Pittman

vs.

The City of El Paso.

Motion for rehearing and motion to certify heretofore granted in the above entitled cause, the said cause set at this time reargued and submitted.

316. [illegible]

a. 1 Ken.

The case is at this time argued and submitted.

And thereupon, by order of the Court proclamation having been made by the Crier, Court is adjourned until 9 o'clock A. M. on June Fourth.

United States of America
Territory of Oklahoma.

Be it Remembered that on this the Fourth day of June, in the year of our Lord one thousand eight hundred and ninety-six, the Supreme Court of the Territory of Oklahoma, met in the City of Guthrie. The same being one of the regular judicial days of the June term of said Court.

There were present Hon. Frank Dale Chief Justice, Hon. A. G. Burford Associate Justice and Hon. John L. McAtee Associate Justice; Hon. C. P. Brooke, U. S. Attorney; Hon. P. J. Boyle, U. S. Marshal, Edgar M. Jones, Clerk, and W. C. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier, the following business was had and done:

429. P. Feuerberg.
vs.
Territory of Oklahoma.

This above cause having come on for decision upon a motion to dismiss, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be and the same is hereby sustained and the judgment of the lower Court is affirmed with costs.

418. Gay and Reed
vs.
Charles S. Reed.

This above cause having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be sustained and the judgment of the lower Court affirmed with costs.

412. A. J. Gay et al
vs.
L. M. Thomas, et al

Time for oral argument in above entitled cause is extended to two hours on each side.

409. The Central Trust Co.
vs.
The Campbell Commission Co.

Commissioner J. H. Martel, of counsel for Appellee and asks leave to file Assignment of Error in the above entitled cause. The Court after consideration denies the application.

360. Hattie McGinnis
vs.
E C Hall et al.

The above cause is at this time argued and submitted.

401. G. J. Marshall
vs.
United States of America.

Motion for continuance in the above entitled cause is at this time overruled and motion to dismiss in above entitled cause is at this time taken and considered with the record.

411. Ethel G. Lee.
vs.
United States of America.

The above cause having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be considered with the record and full proceedings in the said cause.

410. Thomas Jackson,
vs.
J. Simcoe et al.

The above cause was at this time argued and submitted.

And thereupon, by order of the Court proclamation having been made by the Crier, Court was adjourned until June Fifth, at 10 o'clock, A. M.

United State of America
District of Delaware

Be it Remembered that on this the fifth day of June in the year of our Lord, one thousand eight hundred and ninety-six, the Supreme Court of the District met at the City of Wilmington. The Hon. Edward G. Bradford Jr. one of the regular Judicial Judges of the said District Court.

Present Hon. Francis Wm. Bird Justice Hon. Henry A. Scott, C. J. & Hon. Jas. A. Pennewill, Hon. Peter J. Garrahy, Associate Justices: Hon. C. A. Stoops, U.S. Attorney, Hon. Wm. Nagle U. S. Marshal, Edgar H. Jones, Clerk and H. L. Taylor, Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done.

1/36. H. H. Seavell

vs.

T. H. Hendricks.

The above cause is at this time taken upon the record and brief.

453. State District No. 1 et al

vs.

C. J. Geddes et al.

The above cause is at this time argued and submitted. The Stipulation being given ten days time in which to file briefs.

412. O. F. Hayes et al

vs.

J. M. Thomas et al.

The above cause is at this time argued and submitted.

O. F. Hayes & Son et al.

vs.

Neal H. Evans, Co. Treas, et al.

The above cause is at this time argued and submitted.

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438. William L. Ezell, Executor
of Mansfield Estate
vs.
L. O. Mott, et al.

The above cause having come on for decision upon a motion to dismiss, the said motion was at this time overruled.

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439. Robert H. Black
vs.
Frank Kuhn.

The above cause having come on for decision upon a motion to vacate judgment. It is considered, ordered and adjudged that said motion be overruled.

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420. Mary Butt.
vs.
J. M. Carson.

The above cause having come on for decision upon a motion to dismiss. the said motion is overruled and cause continued for the term.

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430. Florence A. Richardson, et al.
vs.
Elisha Penny.

The above cause having come on for decision upon a motion to dismiss. It is therefore considered and adjudged that the said motion be overruled. Thirty days time is given Appellants in which to file brief and the cause continued for the term.

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395. W. O. King.
vs.
Frank Fields.

The above cause having come on for decision upon a motion to dismiss, it is therefore considered, ordered and adjudged that said motion be sustained with costs.

31-2. Directors, if Plaintiff, to call
& Prosecuting Attorney
to
& Criminal Circuit Judge.

Plaintiff to give Defendant notice to prepare and file additional pleas

And thereafter, by order of the Court proclamation was made in the cause, which was as appears from said record, at p. 32 Rec. R. 32.

Journal Entry
Territory of Oklahoma.

Be it Remembered that on this the 10th day of June, in the year of our Lord, one thousand eight hundred and ninety-one the Supreme Court of the Territory of Oklahoma met in the City of Guthrie. The above date being one of the regular undoubted days of the June term of said Court.

There were present, Hon. Frank Dale, Chief Justice, Hon. James L. Lee, U. S. Marshal, Edgar M. Bower, Clerk, and W. A. Taylor, Court Crier.

Public Proclamation of the opening of Court having been made by the Crier, the following business was had and done:

In Re
Admission of Attorneys to practice in the Supreme Court

Comes now J. E. Jarden & Fred M. Eagleton, H. H. Pettijohn & M. Tucker, Jarden Bros. & Mc Keever and W. B. Taylor of the Territorial District Courts and ask to be admitted to practice law in the Supreme Court of the Territory of Oklahoma.

Their qualifications being satisfactory to the Court and the prescribed oath having been administered by Justice Bower they were duly declared admitted to practice in the Supreme and Inferior Courts of the Territory of Oklahoma.

In Re
Naturalization of William Charvat

Comes now William Charvat a native of Austria, and asks the Court to be admitted to full naturalization rights and having proved to the satisfaction of the Court by two competent witness that he is entitled to such rights and the prescribed oath having been administered by the Clerk. It is therefore considered, ordered and adjudged that he be given the full rights of an American citizen.

In Re.
Allowing account of E. T. Tittle,
U. S. Commissioner in and for
the Fourth Judicial District

At a stated term of the Supreme Court of the Territory of Oklahoma, within and for the District of Oklahoma Territory,

begun and held at the City of Guthrie on the first day [illegible]
eighteen hundred and ninety[illegible]

Present Hon. Frank Dale, Chief Justice, [illegible]
A. G. C. Bierer, John L. McAtee and [illegible] Associate
Justices, Hon. C. R. Brooke, U. S. Attorney, [illegible] U. S.
Marshal, Edgar W. Jones, Clerk, and [illegible]

Among the proceedings had were the following, to-wit:

Whereas E. F. Teise, a commissioner of the [illegible] of the
United States for the Fourth District of [illegible]
residing at Perry, O. T. has presented to the court an account
of his fees as such commissioner from the [illegible] day of
January 189[illegible] to the [illegible] day of April 189[illegible] and [illegible]
Hon. C. R. McMechan, the Chief District Attorney of the United
States in and for said district has shown on oath to the
satisfaction of the court that the services therein charged for
have been actually and necessarily performed as therein stated
and that the same appearing reasonable and according to
law.

It is therefore ordered that said account amounting to the
sum of Three hundred and fifteen dollars [illegible]
be and the same is hereby approved.

[illegible]
[illegible] Judge.

In Re
Approving accounts of E. D. Nix,
as United States Marshal.

At a stated term of the Supreme Court of the Territory
of Oklahoma within and for the District of [illegible] Territory
begun and held at the City of Guthrie on the first day of June
A.D. eighteen hundred and ninety[illegible]

Present, Hon. Frank Dale Chief Justice, Hon. [illegible]
A. G. C. Bierer, John L. McAtee, and [illegible] Associate
Justices, Hon. C. R. Brooke, U. S. Attorney, Hon. [illegible] U. S.
Marshal, Edgar W. Jones, Clerk, and [illegible]

Among the proceedings had were the following, to-wit:

Whereas E. D. Nix, United States Marshal for Oklahoma
Territory residing at Guthrie, O. T. has presented to the Court
an account of his fees as such Marshal from the 1st
day of July 189[illegible] to the [illegible] day of [illegible] and
the evidence of Hon. C. R. Brooke, U. S. District Attorney in and
for said Territory has shown on oath to the satisfaction
of the court that the services therein charged for have
been actually and necessarily performed as therein
stated and that the same appearing reasonable and
according to law.

It is therefore ordered that said account amounting
to the sum of Forty dollars be and the same is hereby approved.

Frank Dale Chief Justice.

[illegible] [illegible] et al

vs.

The Washington Mills [illegible] Co.

The above cause having come on at this time for hearing upon a motion to dismiss and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be and the same is hereby sustained and the judgment of the lower court be affirmed with costs.

318. [illegible] Conley

vs.

Burford [illegible] Mfg. Co.

The above cause having come on for decision at this time and the court being fully advised in the premises It is therefore considered, ordered and adjudged that the said motion be and the same is hereby sustained.

407. State National Bank et al

vs.

[illegible] County Treasurer.

The above cause having come on for decision upon a motion to dismiss the said motion is at this time over-ruled.

Robert J. Lee

vs.

United States of America.

Comes now Hon. John H. Burford and asks leave of the court to file suggestions in the above entitled cause. Consent of the court is given and counsel is allowed until [illegible] in which to prepare and file such suggestions.

425. [illegible] & Co.

vs.

Samuel [illegible].

The above cause is at this time submitted upon the record and briefs.

Dec. [illegible]
[illegible]

[illegible]

[illegible]

[illegible]

Feb. George Bragg, et al — Cause filed [illegible] for appearance
vs.
Jacob Stine, Lee Bear — Att. [illegible] [illegible] for defendants

Feb. J. D. Wallace, et al
vs.
Butler, et al.

Feb. [illegible]
vs.
[illegible]

Feb. [illegible]
vs.
[illegible]

Feb. [illegible]
vs.
[illegible]

Feb. [illegible]
vs.
Eberhart Bates

[illegible]

[illegible] been made by the Court, except [illegible]
Tuesday [illegible]

United States of America
Territory of Oklahoma.

In the District Court in and for the Eighth Judicial District of the Territory of Oklahoma sitting at the City of Guthrie. The above entitled cause coming on for hearing upon the plaintiff's motion to dismiss the petition herein, Hon. Henry Asp Judge of said District Court presiding, and the plaintiff appearing by his attorneys, Hon. W. F. Owen, Hon. A. Mercer, Esq. and Hon. C. Hunter, and the defendant appearing by his attorneys Hon. E. Hunter and Hon. E. Hunter, the following proceedings were had and entered of record, to-wit:

Be it remembered, that on the 8th day of June, 1893, the above entitled cause coming on for hearing upon the motion of the plaintiff to dismiss the petition herein, and the defendant appearing by his attorneys, Hon. E. Hunter and Hon. E. Hunter, and the plaintiff appearing by his attorneys Hon. W. F. Owen, Hon. A. Mercer, Esq. and Hon. C. Hunter, and the motion being argued by counsel for the respective parties, and the court being fully advised in the premises, doth overrule said motion to dismiss, to which ruling of the court the plaintiff by his attorneys then and there excepted, and exception allowed.

Be it remembered, that on the 8th day of June, 1893, the above entitled cause coming on for hearing upon the motion of the plaintiff to dismiss the petition herein, and the defendant appearing by his attorneys, Hon. E. Hunter and Hon. E. Hunter, and the plaintiff appearing by his attorneys Hon. W. F. Owen, Hon. A. Mercer, Esq. and Hon. C. Hunter, and the motion being argued by counsel for the respective parties, and the court being fully advised in the premises, doth overrule said motion to dismiss, to which ruling of the court the plaintiff by his attorneys then and there excepted, and exception allowed.

In E.

Defendant's proposed issues.

Comes now the defendant by his attorneys of record, and asks that the following issues be submitted to the jury in the following cause:

Defendant's proposed issues to be submitted to the jury in the above entitled cause.

1st. Plaintiff's petition.

The same cause is at this time ordered submitted.

In the Supreme Court
of the Territory of Oklahoma.

The Supreme Court on this the tenth day of June in the year of our Lord one thousand nine hundred and twenty-six, the Supreme Court of the Territory of Oklahoma met at the City of Guthrie. The above date being one of the regular Judicial days of this Supreme Court, present the Hon. Frank Dale, Chief Justice & Associate Justices Hon. C. B. Ames, U. S. Attorney, Hon. E. J. Boyle, U. S. Marshal, Esq. A. Lowe, Clerk and H. A. Taylor, Court Crier.

Thereupon Proclamation of the opening of Court having been made by the Crier, the following proceedings were had and done.

In Re

Special term of District Court
for Oklahoma City on June 24th.

It is ordered by the Court that a special term of the District Court be held at Oklahoma City, in Oklahoma County, commencing on the Twenty-fourth day of June, 1926.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Oklahoma County.

455 County of Oklahoma
vs.
E. L. Blakeney.

The above cause was at this time argued and submitted.

W. H. Gray Receiver
vs.
Gooch Stiles Co. Trust.

The above cause was at this time taken upon the record and briefs.

453 Frank Dart
vs.
Dave Ford.

The above cause was at this time taken upon the record and briefs.

H 30 Calvin L. Calvin. -

vs

Oscar H Dinkel

The above cause was this day heard on the record and briefs

And thereupon by order of Court Proclamation was made by the Court Crier that the adjournment was [illegible] Eleventh at 9 o'clock A M.

United States of America
Territory of Oklahoma

Be it Remembered that on this the Eleventh day of June in the year of our Lord one thousand eight hundred and ninety-six the Judges of the District Court of the Territory of Oklahoma, sitting in the City of Guthrie. The same being one of the regular judicial days of the June term of said Court

Present the Hon. Frank Dale Judge Presiding Hon. Henry H. Scott, Clerk U.S. District Court, Associate Justices; Hon. E. D. Bone, U.S. Attorney, Hon. P.L. Harris U.S. Marshal, Edgar K. Snow Clerk and A.R. Taylor Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done.-

In Re,
Allowing accounts & Warrants of Clerk of the District Court in and for the Fourth Judicial District.

Whereas Wm H. Hainsworth Clerk of the United States District Court for the Fourth Judicial District of Oklahoma Territory sitting at Perry in the County of Noble, in said Territory has on this 6th day of June A.D. 1896 presented in open Court an account of all his fees and emoluments in such Office from the first day of January A.D. 1896 to the 31st day of March A.D. 1896 inclusive, and in the presence of Hon Caleb E. Cooke. United States Attorney for Oklahoma, it being shown to the satisfaction of the Court that the services therein charged for have been actually and necessarily rendered and performed as therein stated and according to the laws of the United States and the same appearing to be reasonable and just it is therefore considered ordered and adjudged by the Court that the said amount, amounting to the sum of one thousand seven hundred fifty-eight Dollars and twenty-five cents be and the same is hereby allowed.

Frank Dale
Chief Justice.

United States of America.
Territory of Oklahoma
Fourth Judicial District.

I Wm H. Hainsworth, Clerk of the United States District Court of the Fourth Judicial District of Oklahoma Territory, do hereby certify and swear that

the attached accounts are correct as stated and that the same are true in every respect as I verily believe and that I have made no charge [illegible] for services actually rendered and rendered by me by virtue of my said office except, and that I have charged the lowest price allowed for like services and that the fees for the transaction of business are reasonable and just so help me God.

[illegible]

Subscribed and sworn to before me this 5th day of June A. D. 1906.

A. C. Bierer

Judge.

Voucher No 1.

United States of America
To John H. Haughawout
Clerk U. S. District Court
4th Judicial District Oklahoma Dr.

To per diem on the grand jury in the said Court now in session, court being open for business and business actually transacted, to-wit:-

At Perry, Noble County.

1906 - Jan. 15-16-17- Feb. 1.
Total 4 days at $5.00 per day $ 20.00

At Newkirk, Kay County.

1906. Feb. 7-8-19-20-21-24-26-27-28-27 Mar. 1-5-6-7-9-10-12-13.
Total 20 days at $5.00 per day $ 100.00

At Ponca, Ponca County.

1906. Mar. 17-18-19-20-21-23-24-26-27-28-30.
Total 12 days at $5.00 per day $ 60.00

Total $180.00

Territory of Oklahoma
Noble County.

I A. C. Bierer, Judge of the United States District Court of the Fourth Judicial District of Oklahoma do hereby certify that I have examined the above account, and the same is correct, allowed to the amount of one hundred and eighty-five dollars and I further certify that upon each of the days in which a per diem is charged the court

that fees for witnesses and mileage actually traveled are not taxed by the clerk attended as provided by Section 953- 954- 957- and 962- Revised Statutes United States.

A. H. C. Breen.
Judge.

163 5 5 Enroll

No. 772 Jackson, and
No. 772. Olsen.

The above cause having come on for decision upon a motion for rehearing and review and the Court being fully advised in the premises. It is hereby considered, ordered and adjudged that the said motion be and the same is hereby denied with costs.

200. Henry Nichols
vs.
Territory of Oklahoma.

The above cause having come on for decision upon a motion for rehearing and review, and upon motion for a new trial, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be and the same is in all things denied.

4 80 Florence L. Richardson, et al
vs
Elisha Penny.

Appellants in above cause are given ten days in which to prepare and file briefs, and the order heretofore made continuing cause for term is vacated and set aside. The Appellee are given ten days in which to file reply brief.

164. City of Guthrie
vs.
Nix, Halsell & Co.

The above cause having come on for decision upon a motion for review and rehearing and the Court being fully advised in the premises, the said motion is hereby sustained and rehearing allowed in the above

entitled cause. Said cause to be taken without further oral argument. Twenty days time given defendants to prepare and file their and ten days time given plaintiff to prepare and file reply brief

In Re
Petition Application for Habeas Corpus.

The above cause having come on at this time for decision upon an application for Writ of Habeas Corpus and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said Writ be and the same is in all things denied.

406 Henry Steil
vs.
Territory of Oklahoma.

The above cause having come on for decision upon a motion to Dismiss. It is ordered by the Court that the said motion be considered with the record and briefs in said cause.

373 Charles F. Barnes
vs.
S. M. Goltstein.

The above cause having come on for decision upon a motion to dismiss and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be and the same is in all things sustained with exceptions.

And thereupon by order of Court proclamation having been made by the Crier, Court is adjourned until June Thirteenth, at 10 o'clock. A. M.

United States of America
Territory of Oklahoma.

Be it Remembered that on this the thirteenth day of June, in the year of our Lord one thousand eight hundred and ninety-one the Supreme Court of the Territory of Oklahoma met in the City of Guthrie. The afore date being one of the regular judicial days of the June term of said Court.

There were present Hon. Frank Dale, Chief Justice, Hons. Henry H. Scott, A. G. C. Bierer, John L. McAtee and John G. Tarsney, Associate Justices; Hon. C. R. Brooke, U. S. Attorney, Hon. O. S. Nagle, U. S. Marshal, Edgar M. Jones, Clerk, and H. A. Taylor, Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done.

In Re
Setting dates for holding terms of the District Court in the Second Judicial District

It is ordered by the Court that terms of the District Court in the Second Judicial District shall be held, commencing as follows:

At El Reno, Canadian County, on the Third Monday in November.
At Watonga, Blaine County, on the second Thursday in September.
At Enid, Garfield County, on the Third Monday in September
At Grand, Day County, on the Fourth Monday in September.
At Cheyenne, Roger Mills County, on the First Friday in October
At Arapaho, Custer County, on the Second Monday in October.
At Old Fort, Washita County, on the Third Wednesday in October

It is further ordered that all orders heretofore made in conflict with the same are herewith vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for in this order. And all orders writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the terms as provided for in this order. And all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of court as fixed in this order in the county in which he was required to appear by such bond or recognizance.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of said counties.

In Re.

Setting date for holding a term of District Court ... Kiowa County.

It is ordered by the court that a term of the District Court shall be held at Mangum in Kiowa County, Oklahoma on the September Eighth.

It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that all cause at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for on this order. And all orders, writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the times as provided on this order. And all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of court as fixed in such bond or recognizance.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Court Clerk of the District Court of Kiowa County.

In Re.

Setting dates for holding terms of District Court in the Fifth Judicial District

It is ordered by the court that terms of the District Court in the Fifth Judicial District shall be held commencing as follows:

At Ada, Pontotoc County, September 7th
At Pond Creek Grant County, October 5th.
At Kingfisher, Kingfisher County, October 5th.
At Enid, Garfield County, October 12th

It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that all cause at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the time provided for on this order. And all writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the time as provided on this order. And all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of court as fixed in

this order on the county and state to pay expenses to attend in such trial in sums not to exceed that allowed in the Circuit Court of said county.

[illegible] Circuit Court

vs.

Francis M. Fry.

This above cause having come on for decision upon motion for new and hearing and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be and the same is in all things denied with costs.

223 Andrew C Linvill

vs.

Francis M. Fry.

This above cause having come on for decision upon motion for new and hearing and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be and the same is in all things denied with costs.

And thereupon in order of the Court proclamation having been made by the crier the Court was adjourned until June term fifteen at 10 o'clock, A.M.

United States of America
Territory of Oklahoma

Be it Remembered that on this the first day of June, in the year of our Lord one thousand nine hundred and ninety-one the Supreme Court of the Territory of Oklahoma was duly and regularly in session at the City of Guthrie. The same being one of the regular judicial days of the said term of said Court.

There were present the Hon. John L. McAtee, Hon. C. M. Bierer, Hon. Edgar K. Lones Associate Justices of the Supreme Court, Hon. Geo. R. Brooks U. S. Attorney, Hon. Dwight L. Marshal, Edgar K. Lones Clerk and Hon. Eugene Lowe Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following proceedings were had and entered of record to-wit:

In Re.
Naturalization of William Stewart

Come now William Stewart a native of Ireland who makes application to be admitted to the full rights of citizenship of the United States and it appearing to the satisfaction of the Court upon evidence introduced that he is entitled to such rights and privileges and the required oath having been administered. It is therefore ordered and adjudged that he become a duly naturalized citizen of the United States.

In Re.
Obtaining records of E.D. Pierce
and Marriage of Territory of
Oklahoma

At a stated term of the Supreme Court of the Territory of Oklahoma, within and for the District of Oklahoma Territory, begun and held at the City of Guthrie on the first Day of June A.D. Eighteen hundred and ninety-one.

Present Hon. Frank Dale Chief Justice Hon. C. M. Bierer, John L. McAtee and Hon. G. Lackey Associate Justices; Hon. Geo. R. Brooks U. S. Attorney, Hon. Dwight L. Marshal, Edgar K. Lones Clerk, and Hon. Eugene Lowe Court Crier.

Among the proceedings had were the following to-wit:

Whereas E.D. Pierce a United States Marshal of Oklahoma Territory residing at Guthrie O.T. has presented to this Court an account of his fees as such Marshal from the 27th day of January A.D. to the 3d day of March A.D. and in the presence of Hon. Geo. R. Brooks, U. S. District Attorney, for said Territory, the same

oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same appearing reasonable and according to law

It is therefore ordered that said account amounting to the sum of One hundred and thirty five dollars be and the same is hereby approved

Frank Dale,
Chief Justice

In Re
Approving account of E. D. Nix
Ex U. S. Marshal from Oct 1st 95
to June 30th 95

In a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory begun and held at the City of Guthrie on the first day of June A.D. eighteen hundred and ninety six.

Present: Hon Frank Dale Chief Justice: Hon. A. G. C. Burwell, Hon J. McAtee, and Hon C. Tarsney Associate Justices: Hon C. F. Burford U. S. Attorney, Hon. (P. J.) Hazlett U. S. Marshal Edgar M. Nix Clerk and W. A. Taylor Court Crier.

Among the proceedings had were the following to wit

Whereas E. D. Nix, Ex-United States Marshal of Oklahoma Territory residing at Guthrie, O. T. has presented to the Court an account of his fees as such marshal from the 1st day of April, 95 to the 30th day of June, 95 and in the presence of Hon. C. F. Burford, U. S. District Attorney, on and for said Territory has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same appearing reasonable and according to law

It is therefore ordered that said account amounting to the sum of One hundred and twenty three dollars be and the same is hereby approved.

Frank Dale
Chief Justice.

In Re.
Approving accounts of E. D. Nix
Ex U. S. Marshal from Oct 1st 95
to Dec 31st 95

At a stated term of the Supreme Court of the United States of Oklahoma within and for the District of Oklahoma Territory began and held at the City of Guthrie in the First Judicial District of said Territory on the 30th day of December, 1895 and on the 2nd day of January one thousand eight hundred and ninety-six

Present: Hon. Frank Dale Chief Justice Hon. A J C Bierer Assoc. Justice Hon. B F Burford Assoc. Justice

U. S. Ex. Rel. Edgar M. Blake U. S Attorney, Hon. P J Nagle U. S Marshal Edgar M Blake Esq. Clerk and W. A. Taylor Court Crier.

Among the proceedings had were the following to-wit:

Frank E. Dale Ex. United States Marshal of Oklahoma Territory residing at Guthrie, O.T. has presented to the Court an account of his fees as such Marshal from the first day of October, 95 to the 31st day of December, 95 and on the request of Hon. B F Burford, U. S. District Attorney in and for said Territory, has sworn on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same aforesaid reasonable and according to law

It is therefore ordered that said account amounting to the sum of Six hundred and forty dollars and cents be and the same is hereby allowed.

Frank Dale
Chief Justice

In Re

Petition of Frank E. Dale
Ex. U.S. Marshal for
to issue certificate.

It is ordered by the Supreme Court of the United States of Oklahoma within and for the District of Oklahoma Territory began and held at the City of Guthrie in the First Judicial District of said Territory on the 30th day of December, 1895 and on the 2nd day of January one thousand eight hundred and ninety-six.

Present: Hon. Frank Dale, Chief Justice, Hon. A. J. C. Bierer, Assoc. Justice and Hon. B. F. Burford, Assoc. Justice. Hon. E. M. Blake, U. S. Attorney, Hon. P. J. Nagle, U. S. Marshal, Edgar M. Blake, Clerk and W. A. Taylor, Court Crier.

Among the proceedings had were the following to-wit:

Frank E. Dale, Ex. United States Marshal of Oklahoma Territory, residing at Guthrie, O.T. has presented to the Court an account of his fees as such Marshal from the 1st day of April, 95 to the 30th day of June, 95 and on the request of Hon. B F Burford, U. S. District Attorney in and for said Territory, has sworn on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same aforesaid reasonable and according to law

It is therefore ordered that said account amounting to the sum of seven hundred dollars be and the same is hereby allowed

Frank Dale
Chief Justice

And thereupon by order of Court Proclamation thereof was made by the Crier, and Court was adjourned until 9 o'clock A.M. Tuesday the twenty-sixth day of October A.D. 1772.

United States of America
Territory of Oklahoma.

Be it Remembered that on this the [illegible] day of June in the year of our Lord one thousand eight hundred and ninety-[illegible], the Supreme Court of the Territory of Oklahoma met in the City of Guthrie. The above date being one of the regular judicial days of the June term of said Court.

There were present, Hon. Frank Dale Chief Justice, Hon. [illegible] Burford, John L. McAtee and John C. Tarsney Associate Justices, Hon. C. R. Brooke, U.S. Attorney, Hon. P. [illegible] U.S. Marshal, Edgar W. Jones Clerk, and W. A. Taylor, Court Crier.

Public Proclamation of the opening of Court having been made by the Crier, the following business was had and done.

In Re,
William F. [illegible], upon application for Habeas Corpus.

The above cause having come on for hearing and the Court being fully advised in the premises, it is therefore considered, ordered and adjudged that the said application for a Writ of Habeas Corpus be and the same is in all things denied.

In Re,
Maude [illegible] upon application for Writ of Habeas Corpus.

The above cause having come on to be heard and the Court being fully advised in the premises. It is the opinion of the Court that said Petitioner is entitled to be discharged from further imprisonment. It is therefore considered, ordered and adjudged that the said Maude [illegible] be and she is hereby ordered discharged from further imprisonment upon the charge of intruding in the Kiowa and Comanche Reservations.

In Re,
Dick [illegible] upon application for Writ of Habeas Corpus.

The above cause having come on for decision upon an application for Writ of Habeas Corpus and the Court being fully advised in the premises. It is considered, ordered and adjudged that the said Writ be, and the same is in all things denied.

313. Territory of Oklahoma
vs
Thomas F. Riley et al

The above cause having come on for decision upon a motion to dismiss and the court being fully advised in the premises. It is therefore considered ordered and adjudged that the said motion be and the same is in all things sustained.

W. M. Murdock et al
vs
County Commissioners of
Kay County.

The above cause having come on for decision at this time upon a motion to dismiss, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the said motion be and the same is in all things sustained with exception

357 William Taylor
vs
Territory of Oklahoma

Dated now on this twenty-sixth day of June the court directs that the demurrer on the above entitled cause is overruled and that the defendant in error file answer within ten days from this date. Plaintiff is given ten days in which to prepare and file brief. Appellee is given ten days in which to file answer brief.

In Re
Citizens Bank of
Perry vs Buckner U. S.
Commissioner in and for
the First Judicial District.

At a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory began and held at the City of Guthrie on the First day of June, A. D. eighteen hundred and ninety-six.
Present: Hon. Frank Dale, Chief Justice, Hon. A. G. Burford Justice and John B. Fairleigh, Associate Justice Hon. B. R. Brooks, U. S. Attorney, Hon. O. A. Maple, U. S. Marshal, Sworn in...

Clerk and J. A. Taylor Court Crier.
Among the proceedings had were the following, to wit:-
Whereas, George H. Buckner, a commissioner of the District Court of the United States for the First District of Oklahoma Territory residing at Guthrie, O.T. has presented to the Court an account of his fees as such commissioner from the 1st day of January 1895 to the 31st day of March 1895 and in the presence of C. R. Brooks the United States Attorney in and for said District has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same are just reasonable and according to law.
It is therefore ordered that said account amounting to the sum of One hundred forty-seven dollars and fifty cents be and the same is hereby approved.

Frank Dale
Chief Justice.

In Re,
Approving accounts of C. Arthaud Probate Judge and ex-officio commissioner in and for D County, Oklahoma Territory.

At a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory begun and held at the City of Guthrie on the first day of June A.D. eighteen hundred and ninety-five.
Present Hon. Frank Dale Chief Justice Hon. A. G. C. Bierer John L. McAtee and John C. Tarsney Associate Justices, Hon. C. R. Brooke U.S. Attorney, Hon. E. D. Nix U.S. Marshal, Edgar W. Jones Clerk, and J. A. Taylor Court Crier.
Among the proceedings had were the following, to wit:-
Whereas C. Arthaud Probate Judge, and ex-officio commissioner of the United States for the Fifth District of Oklahoma Territory residing at Grand, O.T. has presented to the Court an account of his fees as such commissioner from the 20th day of January 1895 to the 31st day of March, 1895 and in the presence of C. R. Brooke, the United States Attorney in and for said District has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same are just reasonable and according to law.
It is therefore ordered that said account amounting to the sum of seventy five dollars and sixty cents be and the same is hereby approved.

Frank Dale
Chief Justice.

United States of America
District of Oklahoma

Be it Remembered that on this the twentieth day of January in the year of our Lord one thousand eight hundred and twenty-one the Supreme Court of the Territory of Oklahoma was in the City of Guthrie. The above date being one of the regular judicial days of the June term of said Court.

There were present Hon. Frank Dale, Chief Justice Hon. A. G. Brewer, John L. McAtee and Sam C. Farmer, Associate Justices; Hon. C. B. Brooke U. S. Attorney, Hon. C. S. Nagle U. S. Marshal. Edgar M. Jones, Clerk and W. A. Taylor, Court Crier.

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done:

166 J. R. Wallace et al
vs.
H. B. Bullen et al.

The above cause having come on for decision at this time and the Court being fully advised in the premises.
It is therefore considered ordered and adjudged that the Judgment of the District Court be and the same is in all things reversed and cause dismissed with costs to the above plaintiffs in error
All the Judges concurring except Brewer, J. not sitting, having presided as Judge below, and Justice McAtee who dissents.

170 W. R. Gray, et al
vs.
Logan County

The above cause having come on at this time for decision and the Court being fully advised in the premises.
It is therefore, considered ordered and adjudged that the judgment of the Inferior Court be, and the same is in all things affirmed with costs to the above plaintiffs in error
All the Judges concurring except Dale C. J. not sitting, having presided as Judge below and Justices Brewer and McAtee dissenting

180 J. M. Dill, Treasurer et al
vs.
A. Mehrer et al

The above cause having come on at this time for decision and the Court being fully advised in the premises.

It is therefore considered ordered and adjudged that the cause be remanded and remanded for further proceedings.

All the judges concurring, except McCabe J. having presided as judge below not sitting, and Riner J. who dissents.

467. State National Bank,
vs.
Grant County Treasurer.

The above cause having come on at this time for decision and the Court being fully advised in the premises.

It is therefore considered ordered and adjudged that the said cause be, and the same is in all things affirmed with costs to the above plaintiff in error.

All the judges concurring except Scott J. not sitting having presided as judge below and Justices Riner and McCabe dissenting.

450
~~447~~. W. F. Gray et al
vs.
Logan County.

Comes now Horace Speed of counsel for the above plaintiffs in error and asks leave of the Court to file Petition for Review and rehearing. Said motion is granted and the attorney aforesaid is given the prescribed time in which to prepare and file said Petition for review and rehearing.

In Re
Setting date for holding a term of the District Court in Grant County, in the Fifth Judicial District

It is ordered by the Court that a term of the District Court shall be held at Pond Creek, in Grant County, commencing on September 25th.

It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for in this order. And all writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the terms as provided for in this order. And all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of court as fixed in

this order on the County in which he may request to appear by such kind of recognizance.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Grant County.

In Re,
Setting date for holding a special term of the District Court in Logan County, in the First Judicial District

It is ordered by the Court that a special term of the District Court is held at Guthrie, in Logan County commencing on the Twentieth day of July, 1908.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Logan County.

In Re,
Naturalization of J. C. Johnson and William Zag.

Comes now J. C. Johnson, a native of Sweden, and asks the Court to be admitted to full naturalization rights and having proved to the satisfaction of the Court by two competent witnesses that he is entitled to such rights, and the prescribed oath having been administered by the Clerk. It is therefore considered, ordered and adjudged that he be given the full rights of an American citizen.

Comes now William Zag, a native of Germany and asks the Court to be admitted to full naturalization rights and having proved to the satisfaction of the Court by two competent witnesses that he is entitled to such rights, and the prescribed oath having been administered by the Clerk it is therefore considered, ordered and adjudged that he be given the full rights of an American citizen.

In Re
Petition of Samuel Watson
to Commissioner in and for the
Fifth Judicial District

At a Special term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory begun and held at the City of Guthrie on the Seventeenth day of July,

A.D. eighteen hundred and ninety-six.

Present: Hon. Frank Dale, Chief Justice. Hons. A. G. C. Biven & McAtee and John C. Carney, Associate Justices; Hon. C. R. Brooks, U.S. Attorney, Hon. P.S. Nagle U.S. Marshal, Edgar M. Jones, Clerk and M. A. Taylor, Court Crier.

Among the proceedings had were the following, to-wit:-

Whereas, Samuel Huston, a commissioner of the United States for the Fifth District of Oklahoma Territory, residing at Pond Creek, O.T. has presented to the Court an account of his fees as such commissioner from the 1st day of April, 1896 to the 30th day of June, 96. and in the presence of Hon. C. R Brooks, the United States attorney, in and for said District has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same appearing reasonable and according to law

It is therefore ordered that said account amounting to the sum of Thirty-three Dollars and eighty-five cents, be and the same is hereby approved.

Frank Dale,
Chief Justice.

In Re.
Approving accounts of H. C. Glenn,
U.S. Commissioner, in and for
the Fourth Judicial District.

At a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory begun and held at the City of Guthrie on the Seventeenth day of July. A.D eighteen hundred and ninety-six.

Present: Hon. Frank Dale, Chief Justice Hons. A. G. C. Biven John L McAtee and John C. Carney, Associate Justices. Hon. C. R Brooks U.S Attorney. Hon P.S. Nagle, U.S Marshall, Edgar M. Jones-Clerk and M. A Taylor Court Crier

Among the proceedings had were the following, to-wit:-

Whereas H. C. Glenn, a commissioner of the District Court of the United States for the Fourth District of Oklahoma Territory residing at Perry, O.T. has presented to the Court an account of his fees as such commissioner from the 1st day of April 1896 to the 30th day of June 1896, and in the presence of Hon. C. R. Brooks, the United States Attorney in and for said District has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same appearing reasonable and according to law.

Whereupon motion that said account amounting to the sum of Thirty-eight Dollars and sixty cents be and the same be hereby approved.

Frank Dale
Chief Justice.

In Re
Approving account of C. N. Dallis
U. S. Commissioner in and for the
Fifth Judicial District

At a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory, began and held at the City of Guthrie on the Seventeenth day of July, A. D. eighteen hundred and ninety-six.

Present Hon. Frank Dale, Chief Justice, Hons. A. G. C. Burr, John L. McAtee, and John G. Carney, Associate Justices, Hon. C. R. Brooks, U. S. Attorney, Hon. J. J. Vaught U S Marshal, Edgar M. Jones, Clerk and W. R. Taylor, Court Crier.

Among the proceedings had were the following - to-wit:-

Whereas, C. N. Dallis a commissioner of the District Court of the United States for the Fifth District of Oklahoma Territory residing at Medford, O. T. has presented to the Court an account of his fees as such commissioner from the 1st day of April, 1896, to the 31st day of July, 1896, and in the presence of Hon C. R. Brooks, the United States Attorney in and for said District has proven on oath to the actual action of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same appearing reasonable and according to law.

It is therefore ordered that said account amounting to the sum of Fourteen Dollars and Thirty cents be and the same is hereby approved.

Frank Dale.
Chief Justice.

In Re.
Approving accounts of C. N. Dallis
U. S. Commissioner in and for the
Fifth Judicial District

At a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory, began and held at the City of Guthrie on the Seventeenth day of July, A. D. eighteen hundred and ninety-six.

Present: Hon. Frank Dale, Chief Justice, Hon. A. G. C. Bierer John L. McAtee and Hon. John G. Garber, Associate Justices; Hon. C. R. Brooks, U. S. Attorney, Hon. C. J. Nagle, U. S. Marshal, Edgar M. Jones, Clerk, and W. A. Taylor, Court Crier.

Among the proceedings had were the following-to-wit:

Whereas, N. B. Hall a commissioner of the District Court of the United States for the Fifth District of Oklahoma Territory residing at Kingfisher, O. T. has presented to the court an account of his fees as such commissioner from the 1st day of April, 1896 to the 30th day of June, 1896 and in the presence of Hon. C. R. Brooks, the United States Attorney in and for said District has sworn on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same appearing reasonable and according to Law

It is therefore ordered that said account amounting to the sum of Sixty Dollars and seventy five cents, be and the same is hereby approved.

Frank Dale
Chief Justice

In Re,

Approving accounts of N B Hall, U.S Commissioner in and for the Second Judicial District.

At a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory, begun and held at the City of Guthrie on the Seventeenth day of July, A.D eighteen hundred and ninety-six.

Present: Hon. Frank Dale, Chief Justice; Hon's. A. G. C. Bierer John L. McAtee and John G. Garber, Associate Justices; Hon. C. R. Brooks, U. S. Attorney, Hon. C. J. Nagle, U. S. Marshal, Edgar M. Jones Clerk, and W. A. Taylor, Court Crier.

Among the proceedings had were the following-to-wit:

Whereas, N. B. Hall, a commissioner of the District Court of the United States for the Second District of Oklahoma Territory, residing at El Reno, O. T. has presented to the court an account of his fees as such commissioner from the 1st day of April, 1896 to the 1st day of July, 1896, and in the presence of Hon. C. R. Brooks the United States Attorney in and for said District has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same appearing reasonable and according to Law.

It is therefore ordered that said account amounting to the

sum of one hundred fifty-three Dollars and twenty-five cents to me due for my services.

Frank Dale
Chief Justice.

In Re
Allowing account of T. M. Beale
U. S. Commissioner in and for the
Fourth Judicial District

At a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory holden at the City of Guthrie on the seventeenth day of July A. D. eighteen hundred and ninety-six.

Present Hon. Frank Dale, Chief Justice, Hon. A. G. C. Bierer, John L. McAtee and John G. Carney, Associate Justices Hon. C. R. Brooke, U. S. Attorney, Hon. C. S. Nagle, U. S. Marshal. Edgar A. Jones, Clerk, and W. A. Taylor, Court Crier.

Among the proceedings had were the following, to-wit:-

Whereas T. M. Beale, a commissioner of the District Court of the United States for the Fourth District of Oklahoma Territory, residing at Newkirk, O. T. has presented an account of his fees and such commissioner from the 31st day of March, 1896 to the 1st day of July 1896, and in the presence of Hon. C. R. Brooke U. S. Attorney, who and for said District has proven as to the correctness of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same aforesaid reasonable and according to law:-

It is therefore ordered that said account amounting to the sum of One hundred fifty-three Dollars and twenty-five cents be and the same is hereby allowed.

Frank Dale,
Chief Justice

In Re,
Allowing account of T. M. Beale
U. S. Commissioner in and for the
Fifth Judicial District

At a stated term of the Supreme Court of the Territory of Oklahoma within and for the District of Oklahoma Territory begun and held at the City of Guthrie on the seventeenth day of July, A. D. eighteen hundred and ninety-six.

Present: Hon. Frank Dale, Chief Justice, Hon. A. G. C. Bierer, John L. McAtee and John G. Carney, Associate Justices; Hon. C. R. Brooke.

U. S. Attorney, Hon. C. J. Nagle, U. S. Marshal, Ezra H. Jones, Clerk and W. A. Taylor, Court Crier.

Among the proceedings had were the following, to-wit:-

Whereas, Jim Carter, a commissioner of the District Court of the United States for the Fifth District of Oklahoma Territory, sitting at Ada, O. T. has presented to the Court an account of his fees as such Commissioner from the 1st day of April, 1896 to the 1st day of July, 1896 and in the presence of Hon. C. R. Brooks the United States Attorney in and for said District has proven on oath to the satisfaction of the Court that the services therein charged for have been actually and necessarily performed as therein stated and that the same appearing reasonable and according to law.

It is therefore ordered that said account amounting to the sum of four hundred thirty-one Dollars and twenty five cents be and the same is hereby approved.

Frank Dale,
Chief Justice

And thereupon by order of the Court, proclamation having been made by the Crier, Court was adjourned until September First A. D. 1896.

In the District Court within and

In the matter of the appointment of a judge to hold an adjourned term of the District Court of Oklahoma County in Oklahoma Territory.

And now to wit on this the 24th day of June A. D. 1890 it being made to appear to me, the undersigned authority that an adjourned term of the District Court in and for Oklahoma County, in and for the Third Judicial District is fixed for the the 24th day of June A. D. 1890; and it further appearing to me that Honorable Henry W. Scott, Judge of said District Court is absent from the Territory of Oklahoma, and by reason of such was unable to hold a term of court in and for said county at this time.

Now Therefore, It is by me ordered and directed that Frank Dale, Judge of the First Judicial District in and for Oklahoma Territory, be and he is hereby absented and excused to proceed to Oklahoma County to sit and hold the adjourned term of court as heretofore fixed and to do all things necessary to be done in the holding of said term of court to the same extent and as fully as could the Honorable Henry W. Scott, Judge if he were present in person.

In Testimony Whereof, I have hereunto set my hand and caused the Clerk of this Court to attest the same on this the 24th day of June, A D. 1890

Attest:

Edgar M Jones
Clerk Supreme Court
(Seal)

Frank Dale
Chief Justice Supreme Court
Oklahoma Territory.

In the Supreme Court Guthrie Oklahoma.

In the matter of the appointment of a Judge to hold an adjourned term of the District Court of Oklahoma County Oklahoma Territory.

And now to-wit on this 1st day of July, A.D. 1906 it being made to appear to me the undersigned authority that an adjourned term of the District Court in and for Oklahoma County in and for the Third Judicial District is fixed for this the 1st day July A.D. 1906 and it further appearing to me that Honorable Henry V. Scott Judge of said District Court is absent from the Territory of Oklahoma and by reason of such absence unable to hold a term of court in and for said county at this time.

Now therefore it is by me ordered and directed that Frank Dale, Judge of the First Judicial District in and for Oklahoma Territory be and he is hereby appointed and assigned to proceed to Oklahoma County to sit and hold the adjourned term of court as heretofore fixed and to do all things necessary to be done in the holding of said term of court to the same extent and as fully as could the Honorable Henry V. Scott, Judge of the same if present in person.

In testimony whereof I have hereunto set my hand and caused the Clerk of this Court to attest the same on this the 1st day of July A.D. 1906.

Attest:

Edgar A Jones,
Clerk Supreme Court.

(Seal)

Frank Dale
Chief Justice Supreme Court
Oklahoma Territory.

United States of America
Territory of Arizona

Be it Remembered that on the first day of September in the year of our Lord one thousand eight hundred and eighty-four the Supreme Court of the Territory of Arizona, sitting in the City of Tucson. Set above date being one of the regular judicial days of said Court

There were present, Hon Wm. H. Barnes Chief Justice of said Court A. G. L. Rice, John A. McAtee and Hon. Edward Kent Associate Justices Hon. C. R. Brosius, U. S. Attorney Hon. Sidney R. Wolfley Court Clerk and W. A. Taylor, Court Crier

Public Proclamation of the opening of Court having been made by the Crier, Court was adjourned to 9 o'clock A. M. &c.

United States of America
Territory of Oklahoma

Be it Remembered that on this the second day of September in the year of our Lord one thousand eight hundred and ninety-six the Supreme Court of the Territory of Oklahoma was in the City of Guthrie. The above date being one of the regular judicial days of the June term of said Court.

There were present Hon. Frank Dale Chief Justice, Hons. Henry E. Scott A. G. C. Burford, John L. McAtee, and John G. Carney Associate Justices, Hon. C. E. Brooks U. S. Attorney, Hon. P. S. Nagle, U. S. Marshal, Edgar M. Green, Clerk and M. A. Taylor Court Crier.

Public Proclamation having been made by the Crier Court was adjourned to September Third A. D. 96.

United States of America
District of Oklahoma

Be it remembered that on this the 22nd day of September in the year of our Lord one thousand eight hundred and twenty one the Supreme Court of the District of Oklahoma was on the 5th day of October A.D. 1907 duly and regularly held at the City of Oklahoma in said District and County as provided by law.

Present the Hon. Charles B. Stuart Presiding Judge, Hon. Henry L. Scott U.S. District Attorney for said District and Hon. Edgar D. Bronaugh Clerk of said Court.

Whereupon the following proceedings were had and done.

In Re:
Setting date for holding term of the District Court in the Third Judicial District.

It is ordered by the Court that terms of the District Court in the Third Judicial District shall be held commencing as follows:
At Oklahoma City, Oklahoma County, November 7th
At Norman, Cleveland County, October 12th.
At Tecumseh, Pottawatomie County, September 21st
It is further ordered that all orders heretofore made in conflict with the above are hereby recalled and set aside.

It is further ordered that all cases at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for by this order. And all orders writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the terms as provided for in this order. And all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of court as fixed in this order in the county in which he was required to appear by such bond or recognizance.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerks of the District Courts in said Counties

In Re:
Setting date for holding term of the District Court at Kingfisher in the Fifth Judicial District.

It is ordered by this Court that a term of the District Court shall be held at Kingfisher, Kingfisher County, commencing October 14th.
It is further ordered that all orders heretofore made in conflict

with the above are herewith vacated and set aside.

It is further ordered that all cause at issue and standing for trial at the time heretofore fixed shall stand for trial and determination at the time provided by this order. That all orders, writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the terms provided for in this order. And all persons under bond or recognizance to appear at any term of court as heretofore fixed are required to appear on the first day of the term of court as fixed in this order in the county in which he was required to appear by such bond or recognizance.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Kingfisher County.

And thereupon by order of the Court, proclamation having been made by the Crier, Court was adjourned until September, Fourth, A. D., 1916.

United States of America.
District of Oklahoma.

Be it Remembered, that on this the fourth day of September in the year of our Lord one thousand eight hundred and ninety-one the Supreme Court of the District of Oklahoma met on this day pursuant to the statute thereof, and of the regular quarterly days of the June term of said Court

There present Hon. Frank Dale, Chief Justice Hon. Edmund C. Lett Associate Justice and John A. McClain Associate Justice U. S. A. R. Brooks U. S. Attorney, Harry Pl. Nagle U. S. Marshal, Edgar M. Lee Clerk, and J. R. Tayler

Public Proclamation of the opening of Court having been made by the Crier the following business was had and done

In Re -
Changing date for holding terms of
District Court in the Third Judicial District

It is ordered that terms of the District Court in the Third Judicial District, shall be held commencing as follows:
At Oklahoma City, Oklahoma County, second Monday in October.
At Norman, Cleveland County, Third Monday in November
At Shawnee, Pottawatomie County, second Monday in December.
At Marquam, Lincoln County, Fourth Tuesday in September.
It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.
It is further ordered that all causes at issue and standing for trial at the time herein fixed shall stand for trial and determination at the time provided for in this order. And all orders writs and summons & bonds & notices returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the terms provided for in this order. And all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of court so fixed in the county in which he was required to appear by such bond or recognizance.
It is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerks of the District Court in each County.

353 John Fonner
v.
Charles Dan.

The above cause having come on for final determination and the court being fully advised in the premises, it is therefore considered, ordered and adjudged that the cause be affirmed with costs to the Appellant.

Opinion by Dale, J. All the Justices concurring, Justice Scott having presided in the court below, not sitting.

352 L. T. Steward.
v.
Territory of Oklahoma, ex rel,
J. H. Forde, County Attorney.

The above cause having come on for final determination and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be reversed with costs to the Appellee.

Opinion by Dale, J. All the Justices concurring. Justice Keen having presided below, not sitting.

406. Henry Steil.
v.
Territory of Oklahoma

The above cause having come on for final decision and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be affirmed, with costs to Appellant.

Opinion by Dale, J. Justice McAtee, having presided at the trial of the cause below, not sitting; the other Justices concurring.

365 Parlin & Orendorff Co.
v.
Sidney Lehman, and
H. N. Thomas.

The above cause having come on for final determination and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the lower court be affirmed, with costs to the above Plaintiff in Error.

Opinion by Dale, J. Justices Scott and McAtee concurring. Keen, J: Justice Turner and I concur in affirming the judgment

in this case, and leave said it should be done when the mandate of this Court, and not when the record of proceedings in the Court below. on motion further ordered that the cause be dismissed at the cost of the appellant.

347 The Kentucky Falls Improvement Company, et al
v.
Ed. J. Beale.

And now, to-wit on this Fourth day of September A.D. 1896 the above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the appeal be dismissed and the judgment of the lower Court affirmed with costs to Appellant.

Opinion by Dale, C. J. Justice Scott having presided at the trial of the cause below, not sitting; the other Justices concurring.

322. The City of Oklahoma City
v.
Emily L. Maguire

And now, to-wit, on this the Fourth day of September, A.D. 1896 the above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the cause be affirmed with costs to Appellant.

Opinion by Dale, C. J. Justice Scott having presided at the trial of the cause in the Court below, not sitting; the other Justices concurring.

338. Calvin Proctor
v.
Alice Stuart

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered ordered and adjudged that the same be reversed and remanded, with costs to the above appellant in Error.

Opinion by Dale, C. J. Justice Scott having presided in the Court below, not sitting. The other Justices concurring.

150. Odom v. Calhoun

Secor v. Hall.

The above cause having come on for final decision, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the lower Court be affirmed, with costs to the above Plaintiff in Error.

Opinion by Dale, C. J. Justice Scott having presided at the trial of the cause in the Court below, not sitting. The other Justices concurring.

156. Moses Pittman

The City of El Reno.

The above cause having come on for final determination upon Petition for rehearing, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment heretofore rendered in this case be vacated, and that the judgment of the Court below be sustained.

Opinion by Dale, C. J. Justice Scott dissenting; the other Justices concurring.

157. The Board of County Commissioners of Wachita County

v.

Wilson Haines.

The above cause having come on for final decision, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court below be affirmed, with costs to above Plaintiff in Error.

Opinion by Dale, C. J. All the Justices concurring.

252 Keokuk Falls Improvement Co.

v.

Kingsland & Douglas Mfg. Co. et. al.

The above cause having come on for final decision, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged, that the judgment of the court below be affirmed: the cause remanded, and the Court below directed to modify the judgment heretofore rendered in accordance with the opinion of the Court. Opinion by Dale, C. J. Justice Scott having presided below, not sitting; the other Justices concurring.

432. Richard Ravens

v.

Territory of Oklahoma

The above cause having come on for decision at this time and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court be, and the same is in all things affirmed and cause remanded for new trial, with costs to Defendant in Error

Opinion by Scott, C. All the Justices concurring, except Kane J. who presided below.

257. Nicholas Lauer et al.

v.

J. W. McMurtry.

The above cause having come on for decision at this time and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court below be reversed, with costs to the above Defendant in Error.

Opinion by Scott, C. All the Justices concurring, except McAtee, J. who presided below

[illegible] William N. Dunn

v.

Samuel Drummond.

The above cause having at this time come on for decision, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court below be reversed and the cause remanded with costs to Appellee.

Opinion by Scott, C. All the Justices concurring.

433. First National Bank of Okarche and Julius Loreen

v.

Daniel Teat

The above cause having come on at this time for decision and the Court being fully advised in the premises. It is therefore considered and adjudged that the same be in all things affirmed with costs to the above Plaintiff in Error.

Opinion by Scott, C. All the Justices concurring.

37. The City of El Reno.

v.

Ann R. Cullimane, et al.

The above cause having come on for decision at this time and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be, and the same is in all things affirmed, with costs to the above Plaintiff in Error.

Opinion by Scott, J. All the Justices concurring.

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112. Dana A. Churchill.

v.

The Choctaw Railway Co.

The above cause having come on for decision at this time and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be, and the same is in all things affirmed, with costs to the above Plaintiff in Error.

Opinion by Scott, J. All the justices concurring.

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113. J. H. Whaley.

v.

The Choctaw Railway Co.

The above cause having come on at this time for final determination and the Court being fully advised in the premises It is therefore considered, ordered and adjudged that the judgment of the lower court be, and the same is hereby affirmed, with costs to the above Plaintiff in Error.

Opinion by Scott, J. All the justices concurring.

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410. Thomas Jackson.

v.

James B. Kincaid, et al.

The above cause having come on for decision at this time and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court be reversed, with directions to enter judgment for defendants in error.

Opinion by Bierer, J. All the Justices concurring, except Chief Justice Dale, and Justice Scott, who was formerly attorney in the case, not sitting.

391. The Board of County Commissioners of Logan County.
v.
Thomas L. Jones.

The above cause having come on for decision at this time, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the same be reversed, and the cause remanded for further proceedings.
Opinion by Bierer, J. All the Justices concurring, except Chief Justice Dale, who presided below, not sitting.

392. Frank Gard
v.
Love + Ward.

The above cause having come on at this time for decision, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the same be reversed, and remanded for further proceedings.
Opinion by Bierer, J. All the Justices concurring, except Chief Justice Dale, not sitting.

393. W. L. Cooper, et. al.
vs.
The Bank of Indian Territory.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court below be, and the same is hereby affirmed, with costs to the above Plaintiffs in Error.
Opinion by Bierer, J. Dale, C. J. having presided at the trial of the cause in the Court below, not sitting; the other Justices concurring.

372. Michael Cassidy
v.
George W. Taylor

The above cause having come on for final decision, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court below be and the same is in all things affirmed; with costs to Appellant.
Opinion by Bierer, J. All the Justices concurring except Dale, C. J. not sitting.

92. John Vetz
v.
Joseph D. Elliott, et al

The above cause having come on for decision at this time and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the same be in all things affirmed with costs to the above Plaintiff in Error.

Opinion by Riner, J. All the Justices concurring.

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24. R M Andrews
v.
H. J. Kennedy.

The above cause having come on for decision at this time, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court below be reversed at the costs of defendant in Error, with directions to sustain the motion of defendant in error for a new trial.

Opinion by Riner, J. All the Justices concurring.

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37. L. P. Richardson, Administrator of the estate of Daniel Richardson, Deceased
vs.
Andrew Mackay, Jr

The above cause having come on at this time for decision, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court below be reversed, with directions to grant a new trial at the costs of defendant in error.

Opinion by Riner, J.

All the Justices concurring, except Justice McAtee, having presided below, not sitting.

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38. The Armour Packing Company, et al.
vs.
B. L. Orick,

The above cause having come on for decision at this time, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment be reversed at the costs of defendant in Error, with direction to grant a new trial.

Opinion by Riner, J. All the Justices concurring.

27. E. E. Miller.
vs.
William R. Scott.

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment be reversed, and a new trial given at the cost of Plaintiff in Error.

Opinion by Turner. All the Justices concurring except Justice Dale not sitting.

329. Territory of Oklahoma
vs.
P. H. Brady.

The above cause having come on for final determination and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the appeal be dismissed at the cost of Plaintiff in Error.

Opinion by Turner, All the Justices concurring except Justice Scott, not sitting.

143 L. H. Hosmer
vs.
T. P. Christy.

The above cause having come on for final decision at this time, and the Court being fully advised in the premises It is therefore considered, ordered and adjudged that the judgment of the court below be, and the same is in all things affirmed, at the costs of Plaintiff in Error.

Opinion by Turner, All the Justices concurring

60. George Gray, et al.
vs.
Joseph Stiles, et al

And now, to-wit on this the fourth day of October A. D. 1907, Justice Burwell, filed his decision in the above entitled cause.

313 City of Oklahoma City
vs.
[illegible] and [illegible]

The above cause having come on for decision at this time, and the court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the court below be reversed and the cause remanded for a new trial.

Opinion by Beer, J. All the Justices concurring; Chief Justice Dale, not sitting.

331 The A. T. & S. F. R. R. Co.
vs.
Hester Eilen Chamberlain.

The above cause having come on for decision at this time and the court being fully advised in the premises. It is therefore considered ordered and adjudged that the same be reversed and remanded for a new trial.

Opinion by McAtee, J. All the Justices concurring, except Scott, J. having intended below, not sitting.

337 Owen P Noble
vs.
The A. T. & S. F. R. R. Co

The above cause having come on for final determination, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged, that the judgment of the court below, and the same is in all things affirmed with costs to appellant.

Opinion by McAtee, J. All the Justices concurring, except Chief Justice Dale, not sitting.

E. S. Jaffray & Company
vs.
H. A. Wolf & Louie F. Wolf

The above cause having come on for decision at this time and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the same be reversed, at the costs of the above defendants in error.

Opinion by McAtee, J. Justices Scott and Tarney concurring; Chief Justice Dale dissenting. Justice Beer, not sitting.

321. Darlington-Miller Lumber Co.
re
James Coats.

The above cause having come on for final decision at this time and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the trial court be reversed and the cause is in all things affirmed, with costs to Appellant.

Opinion by McAtee, J. All the Justices concurring, except Bond, C.J. who presided here, not sitting.

355 John J. McCoole, et. al.
vs.
Charles H. B Bryan.

The above cause having come on for final determination and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the lower court be reversed and the cause dismissed at the costs of the above defendant in error.

Opinion by McAtee, J. All the Justices concurring

318. Louis N. Bivert
vs.
G. N. Perkins.

The above cause having come on for decision at this time and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the District Court be, and the same is in all things affirmed at the costs of Appellant.

Opinion by McAtee, J. all the Justices concurring, except Dale, C.J. who sat in the trial of the case below.

227. The Diebold Safe & Lock Co.
vs.
M. F. Holt.

The above cause having come on for decision at this time, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the District Court be, and the same is in all things affirmed, with costs to the above Plaintiff in error.

Opinion by McAtee, J. All the Justices concurring, except Chief Justice Dale who presided at the trial of the cause in the court below. Exceptions to the decision of the court are taken by counsel for Plaintiff in Error, and sixty days time are given in which to prepare an appeal from this decision to the Court of Appeals at St. Louis.

382. Peter P. Ellison, et al.
vs.
Peter Reamatra

The above cause having come on for decision at this time, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be, and the same is in all things affirmed at the costs of the above plaintiffs in error.

Opinion by McAtee, J. All the Justices concurring, except Dale, who presided at the trial of the cause in the court below not sitting.

371. First National Bank of El Reno
vs.
F. M. Salyer, as Assignee.

The above cause having come on for decision at this time, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be, and the same is in all things affirmed, with costs to Appellant.

Opinion by McAtee, J. All the Justices concurring.

384. George L. Fenton
vs.
L. F. White.

The above cause having come on for decision at this time, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the cause be reversed, at the costs of the above defendant in error.

Opinion by McAtee, J. all the Justices concurring, except Burr, who presided below not sitting.

433. H. H. Lamb
vs.
T. H. Hendricks.

The above cause having come on at this time for decision, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be reversed; the cause remitted, and cause proceeded with in conformance with the Opinion of this court.

Opinion by McAtee, J. all the Justices concurring, except Scott, J. who presided below.

Dist Union + Gainer Ry
Coble Bonfoary.
vs.
L. F. Cowell

The above cause having come on for final determination upon the brief being filed and argument heard in the premises, it is therefore considered, ordered and adjudged that the judgment of the court below be, and the same is in all things affirmed at the cost of the above Plaintiff in Error.

Opinion by McKee, J. All the Justices concurring except Nicholl, J. who presided in the court below not sitting.

In Re,
Dissenting Opinion filed by Justice McKee on the 4th day of September, A. D. 1903, in case No. 71 L. W. Wallace, et. al. vs. R. B. Bullen et. al.

315 Anne M. Beach
vs.
Charles F Beach, Jr.

The above cause having come on for decision at this time and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be reversed and cause dismissed at the cost of defendant in error.

Opinion by Tarney, J. All the Justices concurring except Scott, J. who presided in the court below not sitting.

323 School District No 17
Garfield County.
vs.
C. J. Zediker, et. al.

The above cause having come on at this time for decision, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the lower court be and the same is in all things affirmed at the costs of the above Plaintiff in Error.

Opinion by Tarney, J. Justice McKee having presided at the trial of the cause in the court below, not sitting; the other Justices concurring.

381. William R Baxter, Marshal
of the City of Guthrie
vs.
Jay Thomas and F. M. Latimer.

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below, and the same is in all things affirmed at the costs of the above Plaintiff in error.

Opinion by Taaffe, J. Dale, C. J. having presided in the court below, not sitting; the other justices concurring.

376. Tecumseh State Bank
vs.
James Maddox.

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be reversed and cause remanded for new trial.

Opinion by Taaffe, J. All the Justices, except Scott, J. who presided below.

367 The City of Guthrie
vs.
H. D. Hylie, et al

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the Court below be reversed and cause dismissed.

Opinion by Taaffe, J. Judges Scott and McAtee concurring. Dale, C. J. who tried the case below, not sitting. Oliver, J. who was of counsel, not sitting.

396. Darlington-Miller Lumber Co.
vs.
A S Hall

The above cause having come on for final determination, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the court below be reversed with costs to appellee.

Opinion by Taaffe, J. Chief Justice Dale, having presided below, not sitting; the other Justices concurring.

362. Hattie McKenzie
vs.
E. F. Ford, et al.

The above cause having come on for final determination and the court being fully advised in the premises. It is considered ordered and adjudged that the judgment of the court below be reversed and cause remanded for further proceedings, at the costs of defendant in error.

Opinion by Tarney, J. Justice Scott having presided in the court below, not sitting; the other Justices concurring.

363. Mosely, Admr.
vs.
Southern Mfg. Co.

The above cause having come on for final determination and the court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the court below be and the same is in all things affirmed at the costs of appellant.

Opinion by Tarney, J. Scott, J. having presided below, not sitting; the other Justices concurring.

317. Gothaner + Douglas,
vs.
H. S. Cunningham.

The above cause having come on for final determination and the court being fully advised in the premises. It is therefore considered ordered and adjudged that the judgment of the court below be, and the same is in all things affirmed at the costs of the above Plaintiffs in Error.

Opinion by Tarney, J. Chief Justice Date having presided below, not sitting; the other Justices concurring.

376. Kate Scottle, et al
vs.
P. L. Brown.

The above cause having come on for final determination, and the court being fully advised in the premises. It is therefore, considered, ordered and adjudged that the judgment of the court below be, and the same is in all things affirmed.

Opinion by Tarney, J. All the Judges concur, except Brown, J. who tried the case below, not sitting.

411. N. Wagner et ux et al
vs
Neil H Evans, et al

The above cause having come on for decision on this the 4th day of September, A.D. 1916, and the Court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the lower court be and the same is in all things affirmed.

"The defendants in the above entitled cause, petitioners in error herein, now excepts to the judgment of the Court, and move the Court for a review and rehearing, which is by the Court overruled, and the said plaintiffs in error now in open court pray an appeal to the supreme Court of the United States, and give notice in open court that they do now appeal to the supreme court of the United States, which appeal is now by the Court allowed, and sixty days are given to plaintiffs in error in which to perfect a record for appeal to the Supreme Court of the United States, and the Court now directs that the entry of this order in the journal show that the amount involved in this suit is as to each petitioner above the sum of five thousand dollars in value, exclusive of interest and costs; and that it also involves the question of the validity of a treaty between the United States and the Kiowa and Comanche tribes of Indians, and the validity of an authority claimed by the plaintiffs in error to be exercised by them under such treaty; and under a contract with said Indians under said treaty; and the question whether the rights of said Kiowa and Comanche Indians under said treaty are infringed by an act of the Legislature of the Territory of Oklahoma, and that the decisions of those questions were each adverse to the petitioners in error, and were adverse to the authority claimed to be exercised under such treaty and to the existence of such rights by said Indians and by said petitioners in error, and to any infringement of such rights by the act of the legislature of the Territory of Oklahoma.

It is also ordered that the petitioners in error execute an appeal bond, payable to the defendants in error, as their interests may appear conditioned to pay all costs and damages that may be awarded against them.

412. D. P. Gary, et al
vs.
A. M. Inman, et al

The above cause having come on for decision on this the 4th day of September, A.D. 1916, and the court being fully advised in the premises. It is therefore considered, ordered and adjudged that the judgment of the lower court be, and the same is in all things affirmed.

Asp, Shartel & Gottingham, Attorneys for Plaintiffs in Error

except to the judgment of the Court and file motion for review and rehearing, which is to the Court overruled and ten days time is given to the Plaintiffs in Error to perfect an appeal to the Supreme Court of the United States.

Exceptions to the judgment and bond are taken by the Territory, through Hon. E. A. Graham, Attorney General of said Territory, and motion for review and rehearing is overruled and ten days time given to said Territory in which to perfect an appeal to the Supreme Court of the United States.

298 The Will S. Little Dry Goods Company, et al
vs.
Burnham, Hanna, Munger & Company.

Ten days time are given Appellants in which to file additional briefs, and ten days given Appellees in which to file reply briefs

And thereupon in order of the Court, proclamation having been made by the Crier, Court was adjourned subject to the call of the Chief Justice.

United States of America.
Territory of Oklahoma.

Be it Remembered that on this the second day of October, in the year of our Lord one thousand eight hundred and ninety-six, the Supreme Court of the Territory of Oklahoma, was specially convened in response to a call of Chief Justice Dale.

There were present, Hon. Frank Dale, Chief Justice; Hon. A. G. C. Bierer and J. R. Keaton, Associate Justices; Hon. C. R. Breene U. S. Attorney, Hon. P. S. Nagle, U. S. Marshal, Edgar M. Jones, Clerk, and H. A. Taylor, Court Crier.

Public Proclamation of the opening of court having been made by the Crier, the following business was had and done:-

In Re
Recording the Commission of Associate Justice.
Keaton.

Grover Cleveland.
President of the United States of America.
To all who shall see these Presents, Greeting:-

Know Ye: That reposing special trust and confidence in the Wisdom Uprightness and Learning of James R Keaton, of Oklahoma Territory I do appoint him Associate Justice of the Supreme Court of the Territory of Oklahoma, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining unto him, the said James R. Keaton, until the end of the next session of the Senate of the United States, and no longer, subject to the conditions and provisions prescribed by law

In Testimony whereof, I have caused these Letters to be made patent, and the seal of the Department of Justice, to be hereunto affixed.

Given under my hand at the City of Washington the 19th day of September, in the year of our Lord, one thousand eight hundred and ninety-six, and of the Independence of the United States of America the one hundred and twenty-first

By the President, Grover Cleveland

Judson Harmon
Attorney General.

United States of America
Territory of Oklahoma.

I, James R Keaton, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of Associate Justice of the Territory of Oklahoma. So help me God.

James R. Keaton

Subscribed and sworn to before me this 28th day Septemb[illegible] 5th
Frank Dale.
Chief Justice Supreme Court of Oklahoma Territory.

Attest:
Edgar M. Jones.
Clerk Supreme Court.
(Seal)

In Re:
Assignment of Judge for the Third Judicial District of Oklahoma Territory.

It is by the Court ordered that Hon. James R. Keaton, Associate Justice of the Supreme Court of Oklahoma, be, and is hereby assigned as Judge of the Third Judicial District of Oklahoma Territory.

And thereupon, by order of the Court, proclamation having been made by the Crier, Court was adjourned subject to the call of the Chief Justice.

United States of America.
Territory of Oklahoma.

Be it Remembered, that on this the second day of November, in the year of our Lord, one thousand eight hundred and ninety-six, the Supreme Court of the Territory of Oklahoma, met in special session, in response to a call of Chief Justice Dale.

There were present, Hon. Frank Dale, Chief Justice, Hon. A. G. C. Bierer and J. R. Keaton, Associate Justices; and C. R. Brooke, U. S. Attorney, and R. L. Nagle, U. S. Marshal, Edgar M. Jones, Clerk and H. A. Taylor Court Crier.

Public Proclamation of the opening of court having been made by the Crier, the following business was had and done.

In Re:
Setting date for holding a term of
District Court in Greer County.

It is ordered that a term of District Court shall be held at Mangum, in Greer County, commencing, on the First Tuesday in December.

It is further ordered that all orders heretofore made in conflict with the above are herewith vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for by this order. And all orders, writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the terms as provided for in this order. And all persons under bond or recognizance to appear at any term of court as heretofore fixed shall be required to appear on the first day of the term of court as fixed in this order in the county in which he was required to appear by such bond or recognizance.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Greer County.

In Re:
Setting a day for holding a special term of
District Court at Tecumseh, Pottawatomie County.

It is ordered by the Court that a special term of District Court shall be held at Tecumseh, in Pottawatomie County, commencing on November 14th, 1896.

In Re:-

Setting date for holding a term of District Court in Noble County.

It is ordered by the Court that a term of District Court shall be held Perry, in Noble County, commencing on the Third Monday in November of each year, instead of the Second Monday in November, as heretofore fixed.

It is further ordered that all orders heretofore made in conflict with the above, are herewith vacated and set aside.

It is further ordered that all causes at issue and standing for trial at the terms heretofore fixed shall stand for trial and determination at the terms provided for by this order. And all orders, writs and summons of every character returnable to the terms of court as heretofore fixed shall be returnable and stand for determination at the terms as provided for in this order. And all persons under bond or recognizance to appear at any term of Court as heretofore fixed shall be required to appear on the first day of the term of court as fixed in this order in the county in which he was required to appear by such bond or recognizance.

And it is further ordered that the Clerk of the Supreme Court send a certified copy of this order to the Clerk of the District Court of Noble County.

And thereupon by order of the Court, proclamation having been made by the Crier, Court was adjourned sine die to the call of the Chief Justice.

In the Supreme Court of Oklahoma Territory.

T. M. Richardson et al.

vs.

T. Augustine.

Now now on this 22nd day of September, A.D. 96 upon application of plaintiffs in error for a stay of proceedings on the execution issued from the District Court of Noble County, Oklahoma Territory, in the case of T. Augustine vs. T. M. Richardson, et al. and the sale of the property advertised thereunder; and it being made to appear that a stay of execution in said case was had in the court below pending the appeal of said cause in the Supreme Court, and that the defendants T. M. Richardson, et al, performed all the orders of said court including the filing of a supersedeas bond, as required and that a case made has been duly prepared, served, and suggestions of Amendment made; and it further appearing that the Judge of the District Court of Noble County, the Hon A. G. C. Biever, is absent from the Territory of Oklahoma and his absence, notwithstanding the orders made in said cause an execution has been issued herein, and levied upon the property of the plaintiffs in error herein, and that a sale of said property has been advertised to take place upon September 23rd, 96 and it being made further to appear that the plaintiffs in error have filed their petition in error in said cause in the Supreme Court, and that the record in said cause necessary to perfect an appeal therein cannot be fully made and perfected before the date advertised for such sale;

It is therefore ordered that the sale advertised in said cause to take place on September 23, 1896, be and the same is hereby stayed for a period of fifteen days in order that the said plaintiffs in error may perfect their appeal in said action.

Witness my hand this the 22nd day of September A.D. 96

Frank Dale.
Chief Justice.

In the Supreme Court of Oklahoma Territory.

T. M. Richardson et al,

vs.

J. F Evans.

And now on this 22nd day of September, A.D. 96, upon application of plaintiffs in error for a stay of proceedings on the execution issued from the district court of Noble county, Oklahoma Territory, in the case of J. F Evans vs. T M Richardson, et al, and the sale of the property advertised thereunder; and it being made to appear that a stay of execution in said case was had in the court below, pending the appeal of said cause in the Supreme Court, and that the defendants, T. M. Richardson

it is ordered and it is ~~case~~ of said court, including the time of the appeal and is ~~in force~~, and that a case made has been duly prepared served and suggestions of amendment made and it further appearing that the judge of the district court of Noble county, the H. C. G. Riser, is absent from the territory of Oklahoma and on the divorce notwithstanding the order made in the cause an execution has been issued herein and levied upon the property of the plaintiffs in error herein and that a sale of said property has been advertised to take place on September 23, 5th, and it being made further to appear that the plaintiffs have filed their petition in error in said cause in the Supreme Court, and that the record in said cause necessary to ~~issue~~ an appeal therein cannot be duly made and ~~docketed~~ before the date advertised for such sale.

It is therefore ordered that the sale advertised in said cause to take place on September 23 5th, be and the same is hereby stayed for a period of fifteen days in order that the said plaintiffs in error may perfect their appeal in said action.

Witness my hand this the 22nd day of September, A. D. 5th.

Frank Dale,
Chief Justice.

In the Supreme Court of the Territory of Oklahoma.

In the matter of the assignment of the Farmers & Merchants Bank of Shawnee, Oklahoma Territory.

And now to-wit on this the 22nd day of September, 5th, it being made to appear to me that a cause is pending in the county of Pottawatomie, Oklahoma Territory, in the Second Judicial District of said Territory, and that matters of importance have arisen in said cause wherein a judge is required in the same and that there is no judge of the district court in said Second Judicial District.

Now therefore I Frank Dale, Chief Justice of the Territory of Oklahoma, by virtue of the authority in me vested by law, do hereby appoint and assign Frank Dale Judge of the district court of the First Judicial District of Oklahoma Territory as a judge to hear and determine the matters arising in the above named cause.

Witness my hand this the 22nd day of September A. D. 5th.

Frank Dale,
Chief Justice.

In the Supreme Court

In the matter of the appointment of a judge to hear and determine a cause pending in the District Court of Logan County, Oklahoma Territory.

Whereas, it being made to appear to me that in the cause now pending in the District Court of Logan County, Territory of Oklahoma wherein William Murray is plaintiff and Robert McKnight and William Skaggs are defendants, Honorable Frank Dale, Judge of the District Court within said county and Territory has granted a change of venue and that another judge should be appointed to hear and determine said cause.

Now, therefore, the Honorable Tams H. Scott, Judge of the First Judicial District of said Territory, to whom this cause was referred on the 3rd day of February, A.D. 1896, is now absent from said Territory and the time of his return being uncertain.

Now therefore, I, Frank Dale Chief Justice of the Supreme Court of said Territory do hereby assign and appoint Honorable J. B. Tarner, Judge of the Second Judicial District to hear and determine said cause, and all the applications, motions and proceedings which may be made, or taken by any party thereto.

Witness my hand this the 9th day of September, 1896.

Frank Dale,
Chief Justice